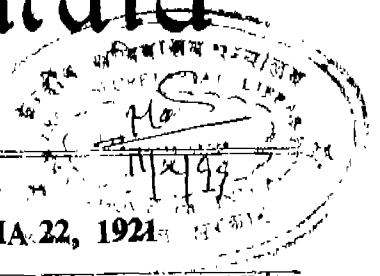




भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY



सं० 24]
No. 24]

नई दिल्ली, शनिवार, जून 12, 1999/ज्येष्ठ 22, 1921
NEW DELHI, SATURDAY, JUNE 12, 1999/JYAISTHA 22, 1921

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-Section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए संबंधित आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(other than the Ministry of Defence)

वित्त मंत्रालय
(राजस्व विभाग)

आदेश

नई दिल्ली 17 मई, 1999

स्टाम्प

MINISTRY OF FINANCE

(Department of Revenue)

ORDER

New Delhi, the 17th May, 1999

STAMPS

का.आ. 1596:—भारतीय स्टाम्प अधिनियम 1899 (1899 का 2) की धारा 9 की उपधारा (i) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा म. होटल एण्ड रिसोर्ट वेंचर्स प्राइवेट लिमिटेड, कलकत्ता को मात्र एक लाख सत्तासी हजार और पांच सौ रुपये का समेकित स्टाम्प शुल्क अदा करने की अनुमति प्रदान करती है, जो उक्त कंपनी द्वारा जारी किए गए मात्र दो करोड़ पचास लाख रुपये के समग्र मूल्य के प्रत्येक एक-एक सौ रुपये के डिबेंचरों के स्वरूप वाले बंधपत्रों पर स्टाम्प शुल्क के कारण प्रभावी है।

[सं. 21/99 वि.क/फा. सं. 33/26/99वि. क.]

अपर्णा शर्मा, अवर सचिव

S.O. 1596.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. Hotel & Recort Ventures Private Limited, Calcutta to pay consolidated stamp duty of rupees one lakh eighty seven thousand and five hundred only chargeable on account of the stamp duty on bonus in the nature of debentures of rupees one hundred each aggregating to rupees two crore fifty lakhs only to be issued by the said company.

[No. 21/99-ST/F. No. 33/26/99-ST]
APARNA SHARMA, Under Secy.

माद्रस

नई दिल्ली, 17 मई, 1999

स्टाम्प

का.आ. 1597:—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (i) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा मै. भारतीय औद्योगिक वित्त निगम लिमिटेड, नई दिल्ली को मात्र चार करोड़ छह लाख और चौहत्तर हजार रुपये का समेकित स्टाम्प शुल्क बढ़ा करने की अनुमति प्रदान करती है, जो उक्त कम्पनी द्वारा दिनांक 31-3-99 को आवंटित किए गए मात्र चार सौ छह करोड़ और चौहत्तर लाख रुपये के समग्र मूल्य के 2600001 से 2640674 तक की विशिष्ट संख्या वाले प्रोमिसरी नोटों के स्वरूप वाले भा.औ.वि.नि. बंधपत्रों (XXVII) श्रृंखला पर स्टाम्प शुल्क के कारण प्रभावी है।

[सं. 22/99-वि.क./फा.सं. 33/27/99 वि. का.]

अपार्णा शर्मा, अधीन सचिव

ORDER

New Delhi, the 17th May, 1999

STAMPS

S.O. 1597:—In exercise of the powers conferred by clause (b) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby permits M/s. The Industrial Finance Corporation of India Limited, New Delhi to pay consolidated stamp duty of rupees four crore six lakh and seventy four thousand only chargeable on account of the stamp duty on IFCI Bonds (XXVII series) in the nature of Promissory Notes bearing distinctive numbers from 2600001 to 2640674 aggregating to rupees four hundred six crore and seventy four lakhs only allotted by the said company on 31-3-99.

[No. 22/99-ST/F. No. 33/27/99-ST]
APARNA SHARMA, Under Secy.

(सीमा शुल्क एवं केन्द्रीय उत्पाद शुल्क, आयुक्त का कार्यालय)

मद्रस, 3 मार्च, 1999

सं. 3/99-सीमा शुल्क

का.आ. 1598:—सीमा शुल्क अधिनियम, 1962 धारा 62 (1962 के अधिनियम 52) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मद्रस जो केन्द्रीय उत्पाद एवं सीमा शुल्क बोर्ड, नई दिल्ली की अधिसूचना सं. 01/77 दिनांक 05-02-77 द्वारा सीमा शुल्क अधिनियम, 1962 की धारा 10 के तहत भांडागार स्टेशन निर्धारित किया गया था,

उसके कूडल नगर पर स्थित प्रारंभिक पाशान दिनांक परिसर में स्थित और बंधकित भांडागार चिह्नित गोदाम को 3 मार्च, 1999 से मार्चजनिक भांडागार के रूप में अधो-हस्ताक्षरी नियुक्त करना है जहां पहली आयाती के शुल्कयोग्य माल बिना शुल्क के जमा किये जा सकते हैं।

2. मद्रस के कूडल नगर के मैमर्स कन्टेनर कार्पोरेशन आफ इंडिया लिमिटेड (कानकार) के अधीन यह मार्चजनिक बंधकित भांडागार रहेगा। मद्रस अंतर्देशीय आधान डिपो के मैमर्स कन्टेनर कार्पोरेशन आफ इंडिया लिमिटेड के भांडागार प्रबन्धक को बंधारी के रूप में नियुक्त किया जाता है और निर्धारित दर के भांडागार का किराया तथा शुल्क का वसूल करने के लिये सीमा शुल्क अधिनियम 1962 की धारा 63 के अधीन प्राधिकृत किया जाता है।

[फा. सी. सं. IV/16/141/97-टी.-1]

जे.एम. जयशीलन, सहायक आयुक्त, मुख्यालय, तर्कनोकी

(OFFICE OF THE COMMISSIONER OF CUSTOMS AND
CENTRAL EXCISE)

Madurai, the 3rd March, 1999

No. 3/99-CUS

S.O. 1598:—In exercise of powers conferred by Section 57 of Customs Act 1962 (Act 52 of 1962) Madurai having been declared by the Central Board of Excise and Customs, New Delhi vide Notification No. 01/77 dated 05-02-77 as a warehousing station under Section 9 of Customs Act, 1962, the undersigned hereby appoints the godown situated within the premises of Indian Container Depot, Koodal Nagar, Madurai and earmarked as "Bonded Warehouse" to be a Public Bonded Warehouse with effect from 3rd March 1999 where dutiable goods may be deposited without payment of duty on the first importation thereof.

2. This Public Bonded Warehouse will remain under the charge of M/s. Container Corporation of India Ltd., (CONCOR) Koodal Nagar, Madurai. The Warehouse Manager in charge of M/s. Container Corporation of India Ltd., at MCD Madurai is appointed as Warehouse Keeper and is authorised under Section 63 of the Customs Act, 1962 to collect the rent and warehouse charges at the rates fixed.

[File C. No. IV/16/141/97-T-II]

J. M. JAYASHEELAN, Asst. Commissioner,
Hqrs. Technical.

(आधिकारिक कार्य विभाग)

(वैकिंग प्रभाग)

नई दिल्ली, 31 मई, 1999

का.आ. 1599:—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिशों पर, एतद्वारा, घोषणा करती है कि उक्त अधिनियम की धारा 10-ख को उपधारा (1) एवं (2) के अंतर्गत, सिविलियन बैंक लिमिटेड पर 11 मई, 1999

से 10 अगस्त, 1999 तक को तीन माह की अवधि के लिये या नियमित प्रबंधक निदेशक (मुख्य कार्यपालक अधिकारी) की नियुक्ति होने तक उनमें से जो भी पहले हो, लागू नहीं रहे।

[सं. 15/4/99-बी.ओ.ए. (i)]

श्रीमती प्रीति मोहन, निदेशक

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 31st May, 1999

S.O. 1599.—In exercise of the powers conferred by Section 53 of Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank, hereby declares that the provisions of sub-section (1) and (2) of Section 10B of the said Act, shall not apply to Centurion Bank Ltd., for a period of three months from 11th May, 1999 to 10th August, 1999 or till the appointment of regular Managing Director (Chief Executive Officer) for that Bank whichever is earlier.

[No. 15/1/99-BOA(ii)]

MRS. P. MOHAN, Director

नई दिल्ली, 31 मई, 1999

का. आ. 1600.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10B की उपधारा (9) के उपबंध केन्द्रीय बैंक निमित्त पर 11 मई, 1999 से 10 अगस्त, 1999 तक अथवा बैंक के नियमित प्रबंधक निदेशक (मुख्य कार्यपालक अधिकारी) की नियुक्ति होने तक, उनमें से जो भी पहले हो, उस सीमा तक लागू नहीं होंगे, जहां तक बैंक को चार महीने से अधिक के लिये प्रबंधक निदेशक (मुख्य कार्यपालक अधिकारी) का काम करने के लिये किसी व्यक्ति की नियुक्ति करने की छूट प्राप्त है।

[सं. 15/4/99-बी.ओ.ए. (ii)]

श्रीमती पी. मोहन, निदेशक

तात्कालिक पूर्ति, अभ्योक्ता मामले और सार्वजनिक विवरण सहायक

(भारतीय मानक व्यूरो)

नई दिल्ली, 27 मई, 1999

का.आ. 1602.—भारतीय मानक व्यूरो (प्रमाणन) विनियम, 1988 के उपविधायन (5) के अनुसरण में भारतीय मानक व्यूरो एतद्वारा अधिसूचित करता है कि निम्न लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं:

अनुसूची

| क्रम सं. | लाइसेंस संख्या | स्वीकृत करने की तिथि वर्ष/माह | लाइसेंसधारी का नाम व पता | शीर्षक भारतीय मानक | भारतीय मानक सं./भाग/अनुमापन वर्ष |
|----------|----------------|-------------------------------|---|--|----------------------------------|
| (1) | (2) | (3) | (4) | (5) | (6) |
| 1. | 7111348 | 96/08 | दिलीप एण्डर्सन, गली नं. 2, श्रीराम टाकीज, उल्हास नगर-421 004 | विशेष स्थापन के लिए कंडक्टर भाग 3 कंडक्टर विद्युत रोडक सामग्री के लिए दृढ़ माप कण्डक्टर | आई एस 09537 : 81 भाग 03 |

New Delhi, the 31st May, 1999

S.O. 1600.—In exercise of the powers conferred by Section 53 of Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank, hereby declares that the provisions of sub-section (9) of Section 10B of the said Act, shall not, to extent they preclude the bank from appointing a person to carry out the duties of the Managing Director (Chief Executive Officer) beyond a period exceeding four months, apply to Centurion Bank Ltd., from 11th May, 1999 to 10th August, 1999 or till the appointment of regular Managing Director (Chief Executive Officer) for that Bank, whichever is earlier.

[No. 15/4/99-BOA(ii)]

MRS. P. MOHAN, Director (BO)

नई दिल्ली, 1 जून, 1999

का.आ. 1601.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सलाह पर, एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10 की उपधारा (1) (ग) (ख) के उपबंध केन्द्रीय बैंक के मामले में, जहां तक इसका संबंध केन्द्रीय बैंक की कार्यपालक निदेशक श्रीमती रजना कुमार की, भारत में आवास वित्त कंपनी, कर्नाटक होम्स लि. के बोर्ड में निदेशक के रूप में नियुक्ति से है, लागू नहीं होंगे।

[फा. सं. 20/4/99-बी.ओ.-1]

के.के. मंगल, अवर सचिव

New Delhi, the 1st June, 1999

S.O. 1601.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of sub-section (1)(g)(b) of Section 10 of the said Act shall not apply to Canara Bank in so far as it relates to Smt. Ranjana Kumar, Executive Director, Canara Bank on her appointment as Director on the Board of Can Fin Homes Ltd., a housing finance company in India.

[F. No. 20/4/99-B.O.1]

K. K. MANGAL, Under Secy.

| (1) | (2) | (3) | (4) | (5) | (6) |
|------------|-------|---|--|----------------------------|-----|
| 2. 7112753 | 96/08 | रुबी कंक्रीट वर्क, प्लॉट नं० 1 से 4, एल० एन० प्रकिशटे इण्डस्ट्रियल एस्टेट, जयसिंहपुर, शिरोल, कोल्हापुर जिला-416 101 | पूरे ढलित कंक्रीट पाइप (प्रवलन सहित और रहित) | आई एस 00458 : 89 | |
| 3. 7110749 | 96/08 | नेशनल ऑरगेनिक केमिकल इण्डस्ट्रीज, प्लॉट नं० 1, लोटे परणुरानी इण्ड० एरिया, खेड तालुका रतनागिरी-415 722 | मिश्राई तन्त्र के छिड़काव युग्मक के लिए पॉलीइथाइलीन के पाइप | आई एस 14151 : 94 भाग 01 | |
| 4. 7112147 | 96/08 | मैनेटिक इलेक्ट्रिकल्स प्राइवेट लि०, नेशनल हाइवे 8 बी, वेरवल (शापेर), त० कोटडा सांगनी, जिला राजकोट -360 030 | निमज्जनीय पम्प सेटों की विशिष्ट | आई एस 08034 : 89 | |
| 5. 8157376 | 96/08 | रोलेक्स इलेक्ट्रोप्रॉडक्ट्स प्रा० लि०, जी आई 118 फेस 2, मायापुरी इण्ड० एरिया, नई दिल्ली-110 064 | परस्कन्दी सामग्री से बने तीन पिन प्लग | आई एस 06538 : 71 | |
| 6. 8158176 | 96/08 | श्री दुर्गा इण्डस्ट्रीज, 37, रामनगर, गली नं० 1, पहाड़ गंज, नई दिल्ली-110 055 | बिजली के पानी गर्म करने के भण्डारण किस्म के स्थिर हीटर | आई एस 02082 : 93 | |
| 7. 8157679 | 96/08 | मोहता केबल्स, 31-बी, सेक्टर बी, सांवर रोड, इण्डस्ट्रियल एस्टेट, इन्दौर-452 003 | 1100 वोल्ट तक की कार्यकारी वोल्टता के लिए पी०बी०सी० रोधित केबल | आई एस 00694 : 90 | |
| 8. 8158580 | 96/08 | मोहता केबल्स, 31-बी, सेक्टर बी, सांवर रोड, इण्डस्ट्रियल एस्टेट, इन्दौर-452 003 | पी०बी०सी० रोधित (भारी कार्य) बिजली की केबल भाग 1 1100 वोल्ट तक की कार्यकारी वोल्टता के लिये | आई एस 01554 : 88 भाग 01 | |
| 9. 9115769 | 96/08 | निपा इन्टरनेशनल प्रा० लि०, 412, उद्योग विहार, फेस 3, इंदाहेरा, गुडगांव | 250 वोल्ट तक की रेटित वोल्टता और 16 एम्पीयर तक की रेटिता धारा के लिए प्लग साकेट आउटलेट | आई एस 01293 : 88 | |

| (1) | (2) | (3) | (4) | (5) | (6) |
|-------------|-------|--|--|----------------------------|-----|
| 10. 7111044 | 96/08 | अजन्ता इलेक्ट्रिकल्स, 307 एवं 206 नव विवेक इण्डो एस्टेट, मोगुल लेन, महिम, मुम्बई-400 016 | 250 वोल्ट तक की कार्यकारी बोल्टता और 16 एम्पीयर तक की रेटित धारा के लिए प्लग, सर्किट आउटलेट | आई एम 01293 : 88 | |
| 11. 7112652 | 96/08 | ई०पी०सी० ईरीगेशन लिमिटेड, एच-109, एम०आई०डी०सी०, अम्बाई, नामिक-422 010 | सिंचाई तन्त्र के ठिड़काव यंत्र के लिए पालीइथाइलीन पाइप भाग 1 भाग 01 | आई एस 14151 : 94 | |
| 12. 7112046 | 96/08 | सायडस मेटल्स एण्ड इंजीनियर्स लिमिटेड, एम-1, एडि० एम०आई०डी०सी०, कण्ठावली गांव, मरवाड, थाणे जिला-421 401 | पट्टाकनवेयर्स के लिये आइडलर्स हेतु इस्पात के पाइप | आई एम 09295 : 83 | |
| 13. 7112349 | 96/08 | मोनिक इलेक्ट्रिकल्स, 76, न्यू यूनिक इण्डो एस्टेट, प्रथम तल, डा० आर० पी० रोड, सम्मुख जवाहर टाकीज, मलन्द (प०), मुम्बई-400 080 | धरेलू और समान कार्यों के लिए स्विच | आई एस 03854 : 88 | |
| 14. 7111630 | 96/08 | प्रडेशियल सीमेन्ट लिमिटेड, पाटनबोरी (बी), केलापुर, यवतमल | 33 ग्रेड साधारण पोर्टलैंड सीमेन्ट | आई एस 00269 : 89 | |
| 15. 7111549 | 96/08 | अजन्ता इलेक्ट्रिकल्स, 307 एवं 206 नव विवेक इण्डो एस्टेट, मोगुल लेन, महिम, मुम्बई-400 016 | धरेलू और समान कार्यों के लिए स्विच | आई एम 03854 : 88 | |
| 16. 7112450 | 96/08 | मोनिक इलेक्ट्रिकल्स, 76 न्यू यूनिक इण्डो एस्टेट, प्रथम तल, डा० आर० पी० रोड, मलन्द (प०), मुम्बई-400 080 | 250 वोल्ट तक की रेटित बोल्टता और 16 एम्पीयर तक की रेटित धारा के लिए प्लग सर्किट आउटलेट | आई एम 01293 : 88 | |
| 17. 8158277 | 96/08 | भोज लैम्प इण्डस्ट्रीज, 146/2, मैन रोड, मौजपुर, सामने गुरुद्वारा, दिल्ली-110 053 | टंगस्टन तन्तु के सामान्य सेवा के बिजली के लैम्प | आई एम 00418 : 78 | |
| 18. 8157881 | 96/08 | जी०एम०सी० ग्लास प्रा० लि०, यूनिट 1 सी-50, भेक्टर 57, नॉएडा-201 301 (यू०पी०) | सुरक्षा कांच भाग 1 सामान्य प्रयोजन | आई एस 02553 : 90 भाग 01 | |

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| 19. 8158883 | 96/08 | लॉर्ड महावीर इलेक्ट्रिकल्स (प्रा०) लि०, 9/82, शास्त्री गली, विश्वास नगर, शाहपुरा, दिल्ली—110 032 | निमज्जन मोटरों के वाइडिंग तार | आई एस 08783 : 78 | |
| 20. 8158681 | 96/08 | पायलट इण्डस्ट्रीज, 13/4, इन्द्रा विकास कालोनी, समीप मुखर्जी नगर, दिल्ली—110 009 | घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणा- त्मक अपेक्षाएं अनु० 3 विद्युत इस्तरी | आई एस 00302 : 92 भाग 02 अनु० 03 | |
| 21. 8157275 | 96/08 | ग्रॉरिएण्टल कलर एंड पेन्ट इण्डस्ट्रीज (प्रा०) लि०, बी-51, मायापुरी, नई दिल्ली—110 064 | सड़कों पर निर्माण लगाने के लिए तैयार शुदा रोगन | आई एस 00164 : 81 | |
| 22. 8158984 | 96/08 | यूनाइटेड केबल इण्डस्ट्रीज, ए-14, सेक्टर 4, नोएडा—201 301 | कोयला खानों में प्रयोग हेतु विस्तारण नम्य केबल | आई एस 00691 : 84 | |
| 23. 8157578 | 96/08 | सुदर्शन इंजीनियरिंग वर्क्स, अर-जैड-20-ए, रवि नगर-एक्सटें०, नई दिल्ली—110 018 | द्रव चालित डोर क्लोजर | आई एस 03564 : 86 | |
| 24. | 96/08 | बी-35, मायापुरी इण्ड० एरिया, फेस 1, नई दिल्ली—110 064 | कैरायस भाग 3/अमोनिया सल्फेट (प्रोसेस पहला संस्करण) (संशोधन 2) | आई एस 04467 : 80 भाग 03 | |
| 25. 5065760 | 96/08 | ग्रेस-केली फूड्स प्रा० लि०, जगन्नाथपुर, पी०ओ० बामुनारी, जिला हुगली (वेस्ट बंगाल) | बिस्कुट | आई एस 01011 : 92 | |
| 26. 5066964 | 96/08 | हल्दिया प्रिंसीपल इंजीनियरिंग प्रा० लि०, इण्डस्ट्रियल प्रोथ सेंटर, विद्युत नगर/पी०ओ० फुलवारी, जलपाइगुड़ी, प० बंगाल | अल्पवायु प्रक्षालीय गैसों के लिए 5-लिटर से अधिक जलक्षमता वाले इंसुलित अन्य कार्बन इस्पात सिलिण्डर | आई एस 03196 : 92 भाग 01 | |
| 27. 5066055 | 96/08 | मेरिनोप्लाई एण्ड केमिकल्स लि०, मकम जंक्शन 786 170, जिला तिनसुकिया, मकम, असम—786 170 | समुद्री उपयोग के लिए प्लाईवुड | आई एस 00710 : 76 | |
| 28. 5066661 | 96/08 | पैलीकन इन्सुलेटिंग इण्डस्ट्रीज, 15, कुन्दन बाई लेन, पी०ओ० भट्टनगर, लिलुहा, हावड़ा—711 203 | विद्युत प्रयोजनों के लिए विद्युत- रोधी आंसजक टेप भाग 1 सूती वस्त्रादि के सबस्ट्रेट सहित टेप | आई एस 02448 : 63 भाग 01 | |
| 29. 5066358 | 96/08 | पॉलि स्कड इण्डस्ट्रीज (प्रा०) लि०, 22-ए, चाल पट्टी रोड, कलकत्ता—700 010 | गैसबैन, जलमैन और सीवरों के लिये स्कड की सीलिंग रिंग | आई एस 05382 : 85 | |
| 30. 5065962 | 96/08 | विद्युत लिम्प इण्डस्ट्रीज, 98/4, सुरेश चन्द्र बनर्जी रोड, कलकत्ता—700 010 | टंगस्टन तन्तु के सामान्य सेवा के विजली के लिम्प | आई एस 00418 : 78 | |

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| 31. 5067158 | 96/08 | उद्योग-सीमेंट (प्रा.) लि., बाष्पनगर, लखनऊ, जिला नौगांव, असम. | 33 ग्रेड साधारण पोर्टलैंड सीमेंट | आई एस 00269: 89 | |
| 32. 5066156 | 96/08 | मेरिनोप्लाई एण्ड केमिकल्स लि., मकुम अंशकान-786 170 जिला तिनसुकिया, असम-786 170 | ब्लॉक बोर्ड | आई एस 01659: 90 | |
| 33. 5066257 | 96/08 | मेरिनोप्लाई एण्ड केमिकल्स लि., मकुम अंशकान-786 170 जिला तिनसुकिया, मकुम, असम-786 170 | परत धाड़ी मजाबटी प्लाईवुड | आई एस 01328: 82 | |
| 34. 5066762 | 96/08 | मेरिनोप्लाई एण्ड केमिकल्स लि., मकुम अंशकान-786 170 जिला तिनसुकिया, मकुम, असम-786 170 | सामान्य प्रयोजन के लिए प्लाई- वुड | आई एस 00303: 89 | |
| 35. 5067259 | 96/08 | आर० डी० वी० टेक्सटाइल्स लि., पी० एम० तेलनीपाड़ा, जिला हुगली, पश्चिम बंगाल-712 125 | वस्त्रादि-असम-असम के लिए डी० एम० तेलनीपाड़ा के बोरे | आई एस 02566: 93 | |
| 36. 5067057 | 96/08 | रामचन्द्र हीरालाल, 62, कालेज घाट रोड, गालीमार, हावड़ा | सामान्य संरचना इस्तेमाल | आई एस 02062: 92 | |
| 37. 5066863 | 96/08 | मै० रोनिक्स पार्स्विमर प्रा० लि० गांव भदुआ, जिला हुगली, पश्चिम बंगाल | पेयजल आपूर्ति हेतु सिंचरोचित पी० डी० वी० फिटिंग की विशिष्ट भाग 2 सर्किट हेतु विशिष्ट अपेक्षाएं | आई एस 10124: 83 भाग 02 | |
| 38. 5066560 | 96/08 | श्री नारायणी पाइप मैनु० कं०, 6, दिवाजंग रोड, कोस्सिपोर, कलकत्ता-700 002 | निर्वाह तंत्र के डिजाइन यंत्र के लिए फस्लीड प्राइमर पाइप भाग 2 सिंचाई तंत्र के डिज- काब यंत्र के लिए पाली- इथाइलीन के पाइप | आई एस 14151: 94 भाग 02 | |
| 39. 5066459 | 96/08 | निर्माण सीमेंट्स लि०, एन० एच० 30, बिहटा, पटना, बिहार | पोर्टलैंड स्लेग सीमेंट | आई एस 00455: 89 | |
| 40. 6108757 | 96/08 | एस्पियम प्लास्टिक लि०, 225, मेतुकुप्पम, ग्रोकिंगम-मोराइपक्कम, मद्रास-600 096 | अग्नेजी शीचालयों तथा मूखालयों के लिए प्लास्टिक की प्रधान टंकियों की विशिष्ट | आई एस 07231: 94 | |
| 41. 6109759 | 96/08 | मनट्रेप डियाइलिस, बी-49, एन० डी० एम० बी० कालोनी, जवाहर नगर, तिरुनेलवेली-627 007 | मॉर सपाट पट्टिका संग्राहक तथा भाग 1 अपेक्षाएं | आई एस 12933: 92 भाग 01 | |

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| 42. | 6109860 | 96/08 | डी० पी० फोम (प्रा०) लि०, 13, रंगापिलई स्ट्रीट, पी०बी० नं० 130, पाण्डिचेरी—605 001 | मोटर वाहनों के लिये नम्य भार वाहन के लिये पोलयुरेथीन फोम | आई एस 08255 : 76 |
| 43. | 6110744 | 96/08 | ग्रीन रेब्यूलेशन सेन्टर, ए-1, कस्तूर रोड, रासिपुरम, जिला सलेम—637 408 | मैलाथियान पायसनीय सान्द्र | आई एस 02567 : 78 |
| 44. | 6112445 | 96/08 | स्टील थॉरोरिटी ऑफ इंडिया लि०, मद्रास पोर्ट ट्रस्ट, मार्शलिंग यार्ड एरिया, साउथ बीच रोड, मद्रास | बेल्डित ट्यूब और पाइपों के लिये तप्त बेल्डित इस्पात पत्तिया | आई एस 10748 : 84 |
| 45. | 6108858 | 96/08 | श्री राम केमीकल्स, नं० 11 ई, सिपकोट कॉम्प्लेक्स, पुडुकोट्टई—622002 | साइपरमथ्रीन ई०सी० | आई एस 12016 : 87 |
| 46. | 6106854 | 96/08 | हिन्दुस्तान सीवा गाइमी द्वारा गोलेण्ड एग्रोकेमीकल्स (प्रा) लि०, 90 डी, फेस 1, रोड नं० 14, जीडिमेतला, हैदराबाद | मोनोक्रोटोफाम विलेय द्रव | आई एस 08074 : 90 |
| 47. | 6109052 | 96/08 | इंटीग्रेटेड थर्मोप्लास्टिक्स लि०, मणिहाराबाद, भूभाग मंडल, मेडक जिला 502 334 | पेयजल वृत्ति के लिए गैरप्लास्टि- कृत पीवीसी पाइप | आई एस 04985 : 88 |
| 48. | 6108454 | 96/08 | लेनका इंडस्ट्रीज लि०, पंचगुमारी, चित्तूर, श्रीकलाहस्ती मंडलम 517 641 | पोर्टलैंड स्लेग सीमेंट | आई एस 00455 : 89 |
| 49. | 6107250 | 96/08 | नीलकण्ठ सीमेंट्स प्रा० लि०, फ्लाट नं० 12, ई ब्लॉक, आईडीए, अटोनगर, विशाखापट्टनम 530 012 | पोर्टलैंड स्लेग सीमेंट | आई एस 00455 : 89 |
| 50. | 6107148 | 96/08 | नवभारत पुल्वराइजर्स, यूनिट : आईडीए नं० 35-36, वेंकटव्रीपालेम, नलगोंडा, मिर्जापुर जिला | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आई एस 08112 : 89 |
| 51. | 6106753 | 96/08 | आर०के० सीमेंट्स क०, राजकुमारवम, पूर्व सीदावरी, राजहमन्डी | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आई एस 08112 : 89 |
| 52. | 6108151 | 96/08 | श्री आलाजी आयरन फाउन्ड्री प्रा० लि०, पी-2, आईडीए नवागम, हैदराबाद | एस्केस्टास सीमेंट शीट पाइपों साथ प्रयुक्त अलग हो सकने वाले नलका जोड़ के जोड़ | आई एस 08794 : 88 |

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| 53. 6109254 | 96/08 | सप्तगिरी सीमेंट्स प्रा० लि०, रामनगर, बिस्मिलपालम पी०ओ०, पंडुएपी एसओ, बिजयानगरम् दिसतक 531 173 | पोर्टलैंड स्लेग सीमेंट | | आईएस 00455 : 89 |
| 54. 6107654 | 96/08 | श्री लक्ष्मी सीमेंट्स, प्लॉट नं० 124 एवं 125, आईडीए, कोन्डापल्ली, तुण्ड्या 521 228 | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | | आईएस 08112 : 89 |
| 55. 6108959 | 96/08 | श्री साई रिनेवेबल एनर्जी डेवेलपर्स सम्मुख सीमेंट गोदाम, अबुलदरनगर, अनन्तपुर | टोस जैव भार चूल्हा भाग 1 सुवाहा (घात्विक सुवाहा) | | आईएस 13152 : 91 भाग 01 |
| 56. 6108555 | 96/08 | श्री विष्णु पाइप्स प्रा० लि०, एस०नं० 79, चेतला पोथरम गांव, जिन्नाराम मंडल, जिला मेडक | एम्बेस्टास सीमेंट के बांध पाइप | | आईएस 01592 : 89 |
| 57. 6108050 | 96/08 | यूनिफ़ मेट्रोड प्रा० लि०, रत्नक्षालम, श्रीकाकुलम 532 407 | हस्तयधानु आर्क वेल्डिंग के लिए आवृत्त कार्बन और कार्बन मैंगनीज इस्पात इलेक्ट्रोड | | आईएस 00814 : 91 |
| 58. 6109658 | 96/08 | विजय पोलीप्लास्ट (प्रा) लि०, प्लॉट नं० 132/3, 133/2, फेस 2, आईडीए, केरलापल्ली, आर आर जिला | पानी की आपूर्ति के लिए उच्च घनत्व वाले पोलिएथीलीन पाइप | | आईएस 04984 : 87 |
| 59. 6106955 | 96/08 | द्विमुस्तान सीखा पाइपी, द्वारा रोमैण्ड एग्रोकेमीकल्स (प्रा) लि०, 90 डी, फेस 1, रोड नं० 14, जीडिमेतला, हैदराबाद | फासफोमिडेन जल विलेय सांद्र | | आईएस 06177 : 81 |
| 60. 6107351 | 96/08 | नीलकण्ठ सीमेंट्स प्रा० लि०, प्लॉट नं० 12, ई ब्लॉक, आईडीए, आंटोनगर विशाखापटनम 530012 | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | | आईएस 08112 : 89 |
| 61. 6107553 | 96/08 | पेन्ना सीमेंट इंडस्ट्रीज लिमिटेड तलारीचेरुवु, ताडपट्टी मंडल, अनन्तपुर जिला (आ०प्र०) | पोर्टलैंड स्लेग सीमेंट | | आईएस 00455 : 89 |
| 62. 6107149 | 96/08 | सुवर्णा सीमेंट्स लिमिटेड, मेल्लाचेरुवु 508 264 नलगोंडा जिला | पोर्टलैंड पोर्जोलाना सीमेंट | | आईएस 01489 : 91 |
| 63. 6107452 | 96/08 | श्री वैष्णवी कंडक्टर्स, एफ/4, इंट० एस्टेट (एकमटेशन) नंदियाल, जिला कुरुनूल (आ०प्र०)- 518 502 | शिरोपेरि प्रेषण कार्यों के लिए एल्युमीनियम के चालक भाग 1 | | आईएस 00398 : 76 भाग 01 |

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| 64. 7112551 | 96/08 | भारत स्विचगियर्स बी-2, अश्वनी सोसाइटी, बम्बई-पूना रोड, पूना-411 005 | अवशिष्ट बिद्युत धारा बालित परिपक्व वियोजक | आईएस 12640 : 88 | |
| 65. 7113048 | 96/08 | मॉडर्न पाइप्स एण्ड प्लाइड प्राइवेट्स इंडस्ट्रीज, प्लॉट नं० 64 से 72 इंड० एस्टेट, स्टेप्पन रोड, कोरपरगांव, अहमदनगर जिला-423 601 | पूर्ववर्णित कंक्रीट पाइप (प्रबलन सहित और रहित) | आईएस 00458 : 88 | |
| 66. 7112955 | 96/08 | पांडुरंगा पाइप इंडस्ट्रीज, प्लॉट नं० 45 से 48 एवं 58 से 61, चन्द्रशेखरी इंड० को- ऑपरेटिव एस्टेट, मोहल, गोलापुर जिला | पूर्ववर्णित कंक्रीट पाइप (प्रबलन सहित और रहित) | आईएस 00458 : 88 | |
| 67. 7112854 | 96/08 | बैंगंगा सीमेंट प्राइवेट्स सर्वे नं० 67, अस्तीचमोर्शी रोड, अस्ती, तः चमोर्शी, गडचिरोली जिला | पूर्ववर्णित कंक्रीट पाइप (प्रबलन सहित और रहित) | आईएस 00458 : 88 | |
| 68. 7113856 | 96/08 | श्रीजी सीमेंट प्राइवेट लिमिटेड, प्लॉट नं० 402 प्लॉट नं० 25 से 26, पंचदेव इंडस्ट्रियल एस्टेट, बोम्बारा पटिया, पिपोदरा, ता : मंगरोल, जिला सूरत-394 110 | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 08112 : 89 | |
| 69. 7111953 | 96/08 | दोशी हीटर्स प्रा० लि०, बी-49, इंडस्ट्रियल एस्टेट, उधना-394 210 | खरसू और समान विद्युत माधित्रों की सुरक्षा भाग 2 विवर- णात्मक अपेक्षाएं अनु 3 विद्युत इस्तरी | आईएस 00302 : 92 भाग 02 अनु० 03 | |
| 70. 7113654 | 96/08 | एलके पेस इंडिया प्राइवेट लिमिटेड 165, जीआईडीसी, इंड० एस्टेट, माकपुरा, जळोबा जिला- 391 510 | 250 वोल्ट तक की रेटिंग वोल्टता और 16 एम्पीयर तक की रेटिंगधारा के लिए प्लग संकेत आउटलेट | आईएस 01293 : 88 | |
| 71. 8159380 | 96/08 | हर नारायण ट्यूब्स इन्व्यू जेड 754 ए, सुदर्शन पार्क, नई दिल्ली-110 015 | खनिज भरे खोलदार तापन एलीमेंट | आईएस 04159 : 88 | |
| 72. 8160163 | 96/08 | एमएमो इंटर्नलसेज, 380/81, गली माता वाली, नेलीवाड़ा, दिल्ली-110 006 | ब्रिजली के वाटर हीटर्स में प्रयोग हेतु ताप स्थापक | आईएस 03017 : 85 | |
| 73. 8159481 | 96/08 | शीतल इलेक्ट्रिकल्स, इन्व्यूपी 1, वजीरपुर ड गांव, दिल्ली-110 042 | खनिज भरे खोलदार तापन एलीमेंट | आईएस 04159 : 88 | |

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| 74. 8160062 | 96/08 | आरके इलेक्ट्रिकल्स, एमएससी 174, योगनया मोहल्ला, पहाड़गंज, नई दिल्ली-110 055 | खनिज भरे खोलदार तापन एलीमेंट | आईएस 04159: 88 | |
| 75. 8160264 | 96/08 | भारती इलेक्ट्रिकल्स, 2824/5, भगत सिंह स्ट्रीट, चूना मंडी, पहाड़गंज, नई दिल्ली-110 055 | खनिज भरे खोलदार तापन एलीमेंट | आईएस 04159: 88 | |
| 76. 8150885 | 96/08 | डिजिटलैक्स (आई) लि०, 55 एवं 58 डी, नौएडा एक्सपोर्ट प्रोसेसिंग जोन (एनईपीएल) नौएडा (उ०प्र०) | चीराफाड़ी के लिये रखड़ के दस्ताने | आईएम 04148: 89 | |
| 77. 8159986 | 96/08 | ग्लेमर इलेक्ट्रिकल्स, 4/9, आसफ अली रोड, नई दिल्ली-110 002 | घरेलू और सामान विद्युत संधिजो की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं अनु० 30 विद्युत विकीरक | आईएस 00302: 92 भाग 02 अनु० 30 | |
| 78. 8159178 | 96/08 | ओरिगेंटल कलर एण्ड पेंट इंडस्ट्रीज (प्रा) लि०, बी-91, मायापुरी, नई दिल्ली 110 064 | सीमेंट रंग रोगन | आईएस 05410: 92 | |
| 79. 8160365 | 96/08 | पगोवा केबल्स (प्रा) लि०, 511/1 ई 4 बी, गली नं० 3, विश्वास नगर, शाहदपुरा, दिल्ली-110 032 | पीवीसी रोहित (भारी कार्य) बिजली की केबल भाग 1 1100 वोल्ट तक की कार्यकारी वोल्टता के लिए | आईएस 01554: 88 भाग 01 | |
| 80. 8159582 | 96/08 | पैरागॉन केबल्स (इंडिया) खसरा 45/6, पी०ओ० प्रहलादपुर, दिल्ली-110 042 | अनुप्रस्थ जुड़े हुए पॉलिइथाइलीन विद्युतरोधी ताप स्थायी के केबल | आईएस 07098: 88 भाग 01 | |
| 81. 8159683 | 96/08 | रेक्स इंटरप्राइसेज, 28.3 धनसिंह नगर, गली नं० 2, सिलिक्री रोड, नई दिल्ली-110 005 | खनिज भरे खोलदार तापन एलीमेंट | आईएस 04159: 83 | |
| 82. 8159279 | 96/08 | वर्धमान होम एप्लायंसेस प्रा० लि० 26, बदली इंड० एरिया, फेस 2, दिल्ली-110 041 | खनिज भरे खोलदार तापन एलीमेंट | आईएस 04159: 83 | |
| 83. 8159784 | 96/08 | हर्ष प्लास्टिक इंडस्ट्रीज, 200ए, 201, सेक्टर ई, इंड० एरिया, संवर रोड, इंदौर | 1100 वोल्ट तक की कार्यकारी वोल्टता के लिए पीवीसी रोहित केबल | आईएस 00694: 90 | |
| 84. 8158782 | 96/08 | वक्कण सीमेंट्स लि०, (बनीन यूनिट) गांधी ग्रामजोरा, तहसील सरदारपुर धार | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएम 08112: 89 | |

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| 85. 8158378 | 96/08 | क्लासिक इंजिनेशन इन्व्हेस्टमेंट्स प्रा० लि०, प्लॉट नं० 10, गोंडवाडा, रिंग रोड नं० 2, उर्ला इंडस्ट्रियल एस्टेट, मरोरा, रायपुर | सिचाई तंत्र के छिड़काव यंत्र के लिए पालीइथाइलीन पाइप | आईएस 14151 : 94 भाग 01 | |
| 86. 8157982 | 96/08 | हेवैल्स इंडिया लिमिटेड, ए-461/462 मल्स्य इंडस्ट्रियल एरिया, झलवर 301 030 | पीवीसी रोधित (भारी कार्य) बिजली की केबल भाग 1 1100 वोल्ट तक की कार्यकारी वोल्टता के लिए | आईएस 01554 : 88 भाग 01 | |
| 87. 8157477 | 96/08 | तरण सीमेंट कम्पनी, 27 किमी फ्रॉम जयपुर, एफ-77, जैतपुरा इंडस्ट्रियल एरिया जयपुर 302 012 | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 08112 : 89 | |
| 88. 8158075 | 96/08 | हेवैल्स इंडिया लिमिटेड, ए-461/462 मल्स्य इंडस्ट्रियल एरिया, झलवर 301 030 | 1100 वोल्ट तक की कार्यकारी वोल्टता के लिये पीवीसी रोधित केबल | आईएस 00694 : 90 | |
| 89. 8159077 | 96/08 | नोखा सीमेंट (प्रा) लि०, गांधी-बीकासर, एसपी-1 (सी), रिंको इंडस्ट्रियल एरिया, नोखा, बीकानेर | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 00694 : 89 | |
| 90. 8158479 | 96/08 | सोनी सेरेमिक्स प्रा० लि०, 14, 15, 16, इंडस्ट्रियल एस्टेट, नागौर | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 08112 : 89 | |
| 91. 9119373 | 96/08 | एशियन वाल्व्स 82, दादा कालोनी, इंड० एरिया, जालन्धर पंजाब 144 004 | जलकल प्रयोजनों के लिए ताम्बा मिश्रधातु के गेट ग्लोब और चेक वाल्व | आईएस 00778 : 84 | |
| 92. 9118977 | 96/08 | बाबा फाउन्ड्री एण्ड इंजी० वर्क्स, गांव गवईपुर, पोस्ट रणधावा मासनदन, जालन्धर शहर (पंजाब) | धातुबर्ध्म ढलवां लोहे के पाइप फिटिंग की विशिष्टि | आईएस 01879 : 87 | |
| 93. 9119070 | 96/08 | चांपड़ा मेलिबल्स, डी-35, फोकल प्वाइंट, जालन्धर शहर (पंजाब) | धातुबर्ध्म ढलवां लोहे के पाइप फिटिंग की विशिष्टि | आईएस 01879 : 87 | |
| 94. 9119676 | 96/08 | दर्शन प्लास्टिक लिमिटेड, भवानीगढ़ रोड, जिला पटियाला, समना (पंजाब) 147 101 | पेयजल आपूर्ति के लिए गैर-प्लास्टिक पीवीसी पाइप | आईएस 04985 : 88 | |
| 95. 9119171 | 96/08 | कृष्णा ऑटो इंडस्ट्रीज, सी-31, फोकल प्वाइंट जालन्धर (पंजाब) | धातुबर्ध्म ढलवां लोहे के पाइप फिटिंग की विशिष्टि | आईएस 01879 : 87 | |

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| 96. 9118876 | 96/08 | नवदुर्गा सीमेंट वर्क्स, भालू वाला रोड, फरीशकोट-151 203 | पूर्व डलित कंक्रीट पाइप (प्रबलन सहित और रहित) | आईएस 00458 : 88 | |
| 97. 9119272 | 96/08 | रैनबो इलेक्ट्रिक एप्लायसेस प्रा० लि०, 6515, सच्चासिंह, गली मेहना चौक, भटिंडा (पंजाब) | एक फेज लघु ए०सी० और सांत्विक बिजली की मोटर | आईएस 00996 : 79 | |
| 98. 9120358 | 96/08 | श्री आत्म मनोहर इंडस्ट्रीज, डी-115, फोकल प्वाइंट, खन्ना (पंजाब) 141 401 | पशुओं के लिए मिश्रित आहार | आईएस 02052 : 79 | |
| 99. 9119474 | 96/08 | एस० निहाल मेटल इंडस्ट्रीज, इंड० एरिया, गली न० 1, दादा कालोनी, जालंधर (पंजाब) | धातुबर्ध एल्वा मोहों के पाइप फिटिंग की विनिष्टि | आईएस 01879 : 87 | |
| 100. 9118775 | 96/08 | दुर्गा सीमेंट प्रा० लि०, बेहरोड़ रोड, जिला मोहिन्दगढ़, नारनौल | पोर्टलैंड पोर्जोलाना सीमेंट भाग 2 | आईएस 01489 : 91 भाग 02 | |
| 101. 9119575 | 96/08 | प्लास्ट इंडिया 25, बी०एफ, इंडस्ट्रियल एस्टेट, बटाला | ठण्डी जल सेबाओं के लिए डायफ्राम टाइप (प्लास्टिक बॉडी), प्लावन, प्रचालित वाल्व | आईएस 13049 : 91 | |
| 102. 9120257 | 96/08 | आर०बी० जोधामल एण्ड कं० (प्रा०) लि, टोपेश्वर खनियन, जम्मू तबी-180 001 | सामान्य इंजीनियरी प्रयोजनों के लिए मृदु इस्पात तार सरिए | आईएस 07887 : 92 | |
| 103. 9120055 | 96/08 | एस०के० इलेक्ट्रिकल एप्लायसेस एससीओ 100, मेक्टर 40-सी, चंडीगढ़ | घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं खंड 2 | आईएस 00302 : 92 भाग 02 | |
| 104. 9119777 | 96/08 | ट्रिलो एग्रो इंडस्ट्रीज प्रा० लि०, गांध एव पोस्ट झरमरी, पटियाला-147 001 | कोट-नागक-फोरेट जी संपुटित | आईएस 09359 : 80 | |
| 105. 9119878 | 96/08 | ट्रिलो एग्रो इंडस्ट्रीज प्रा० लि०, गांध एव पोस्ट झरमरी, पटियाला-147 001 | आईमिथोएट पायसनीय सांद्रण | आईएस 03903 : 84 | |
| 106. 9117874 | 96/08 | जे०के० जूट मिल, क० लि०, काल्पी रोड, फजल गंज, कामपुर | खाद्यान्न पैक करने के लिए पटसन के बोरे—50 किलोग्राम | आईएस 12650 : 89 | |
| 107. 9120156 | 96/08 | यू०पी० एस्वेस्टॉस लि०, मोहालालगंज लखनऊ | 33 ग्रेड साधारण, पोर्टलैंड सीमेंट | आईएस 00269 : 89 | |
| 108. 6107755 | 96/08 | टुटिकोरिन अल्कली केमीकल्स एण्ड फर्टिलाइजर्स लिमिटेड, | सोडियम बाईकार्बोनेट | आईएस 02124 : 74 | |

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| | | Nasik Nasik 422 010 | | | |
| 12. | 7112046 | 96/08 | Lloyds Metals & Engineers Ltd. M-1 Addl M.I.D.C. Kudavali Village Murbad Thane District 421 401 | Steel tubes for idlers for belt conveyors (first revision) | IS 09295:83 |
| 13. | 7112349 | 96/08 | Monic Electricals 76 New Unique Indl Estate 1st Floor Dr. R.P. Road, Opp. Javaha Talkies Mulund (W) Mumbai 400080 | Switches for domestic and similar purposes (first revision) (Amendments 3) | IS 03854:88 |
| 14. | 7111650 | 96/08 | Prudential Cement Limited Patanbori (V) Kelapur (TO) Yavatmal | 33 Grade ordinary Portland cement (forth revision) (Amendments 3) | IS 00269:89 |
| 15. | 7111549 | 96/08 | Ajanta Electricals 307 & 206 Nav Vivek Indl Estate Mogul Lane Mahim Mumbai 400 016 | Switches for domestic and similar purposes (first revision) (Amendments 3) | IS 03854:88 |
| 16. | 7112450 | 96/08 | Monic Electricals 76 New Unique Indl. Estate 1st Floor Dr. R.P. Road, Opp. Javaha Talkies Mulund (W) Mumbai 400 080 | Plugs and socket outlets of rated voltage up to and including 250 volts and rated current up to and including 16 amperes (second revision) (Amendments 3) | IS 01293:88 |
| 17. | 8158277 | 96/08 | Bhoj Lamp Industries 146/2, Main Road Moujpur, Opp. Gurudwara, Delhi 110 053 | Tungsten filament general service electric lamps (third revision) (Amendments 7) | IS 00418:78 |
| 18. | 8157881 | 96/08 | GSC Toughened Glass Pvt Ltd. Unit 1 : C-50, Sector 57, Noida-201301 Noida (U.P.) 201301 | Safety Glass Part 1 General purpose (third revision) (Amendment No. 1) | IS 02553:90 Part 01 |
| 19. | 8158883 | 96/08 | Lord Mahaveera Electricals (P)Ltd. 9/82, Shastri Gali, Vishwas Nagar, Shahdara Delhi 110032 | PVC insulated winding wires for submersible motors for 80 degree celcius operation (Amendments 3) | IS 08783:78 |

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| 20. | 8158681 | 96/08 | Pilot Industries 13/4, Indra Vikas Colony Near Mukherji Nagar Delhi 110 009 | Safety of household and similar electrical appliances: Part 2 Particular requirements, Sec 3 Electric Iron | IS 00302:92 Part 02 Sec 3 |
| 21. | 8157275 | 96/08 | Oriental Colour & Paint Industries (P) Ltd. B-91, Mayapuri New Delhi 110 064 | Ready mixed paint, for road marking (first revision) (Amendment No.1) | IS 00164:81 |
| 22. | 8158984 | 96/08 | United Cable Industries A-14, Sector IV Noida 201301 | Flexible trailing cables for use in coal mines (first revision) | IS 00691:84 |
| 23. | 8157578 | 96/08 | Sudershan Engineering Works RZ 20 A, Ravi Nagar Extn. New Delhi 110018 | Door closers (hydraulically regulated) (second revision) (Amendment 1) | IS 03564:86 |
| 24. | | 96/08 | B-35, Mayapuri Indl. Area Phase I New Delhi 110064 | Carmel: Part 3 Ammonia Sulphite process (first revision) (Amendments 2) | IS 04467:80 Part 03 |
| 25. | 5065760 | 96/08 | Ganges Vally Foods Pvt. Ltd. Jagannathpur, P.O. Bamunari, Dist. Hooghly, Hooghly, West Bengal | Biscuits (third revision) | IS 01011:92 |
| 26. | 5066964 | 96/08 | Haldia Precision Engineering Pvt. Ltd. Industrial Growth Centre, Bidyut Nagar, P.O. Fulbari, Jalpaiguri, West Bengal | Welded low carbon steel cylinder exceeding 5 litre water capacity for low pressure liquifiable gases: Part 1 cylinders for liquified petroleum gas (LPG) (fourth revision) | IS 03196:92 Part 01 |
| 27. | 5066055 | 96/08 | Merinoply & Chemicals Ltd. Makum Junction-786 170 Dist. : Tinsukia, Makum, Assam, 786 170 | Marine plywood (First revision) (Amendments 3) | IS 00710:76 |
| 28. | 5066661 | 96/08 | Pelican Insulating Industries 15, Kundan By Lane, P.O. Bhattanagar, Liluah, Howrah, 711 203 | Adhesive insulating tapes for electrical purposes: Part 1 Tapes with cotton textile substrates (Amendment Nos. 5) | IS 02448:63 Part 01 |
| 29. | 5066358 | 96/08 | Paul Rubber Industries (P) Ltd. 22A, Chawl Patty Road, Calcutta 700 010 | Rubber sealing rings for gas mains, water mains and sewers (first revision) (Amendment 1) | IS 05382:85 |

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| 30. | 5065962 | 96/08 | Tirupati Lamp Industries 98/4, Suresh Chandra Banerjee Road, Calcutta 700 010 | Tungsten filament general service electric lamps (third revision) (Amendments 7) | IS 00418:78 |
| 31. | 5067158 | 96/08 | Udayana Cement (P) Ltd. Bamungaon, Lanka, Dist: Nowgaon, Assam Nowgaon, Assam | 33 Grade ordinary portland cement (fourth revision) (Amendments 3) | IS 00269:89 |
| 32. | 5066156 | 96/08 | Merinoply & Chemicals Ltd., Makum Junction-786 170 Dist : Tinsukia, Makum, Assam 786 170 | Black Boards | IS 01659:90 |
| 33. | 5066257 | 96/08 | Merinoply & Chemicals Ltd., Makum Junction-786 170 Dist : Tinsukia, Makum, Assam 786 170 | Veneered decorative plywood (second revision) (Amendments 3) | IS 01328:82 |
| 34. | 5066762 | 96/08 | Merinoply & Chemicals Ltd., Makum Junction-786 170 Dist: Tinsukia, Makum, Assam 786 170 | Plywood for general purposes (Third revision) (Amendments 1) | IS 00303:89 |
| 35. | 5067259 | 96/08 | R.D.B. Textiles Ltd., (Victoria Jute Works) P.O. Telenipara Dist: Hooghly, Hooghly, West Bengal 712 125 | Textiles-B-twill jute bags for packing foodgrains (third revision) | IS 02566:93 |
| 36. | 5067057 | 96/08 | Ramchander Heeralall 62, College Ghat Road, Shalimar, Howrah | Steel for general structural purposes (Fourth revision) (supersedes IS 225: 1975) (Amendment No. 1) | IS 02062:92 |
| 37. | 5066863 | 96/08 | M/s Ronix Polyner Pvt. Ltd. Vill: Bhadua, Dist. Hooghly West Bengal | Fabricated PVC fittings for potable water supplies: Part 2 Specific requirements for sockets (first- revision) | IS 10124:88 Part 02 |
| 38. | 5066560 | 96/08 | Shree Narayani Pipe Maf. Co. 6, Dilanjang Road, Cossipore Calcutta 700 002 | Polyethylene pipes for sprinkler irrigation systems : Part 2 Couplers | IS 14151:94 Part 02 |
| 39. | 5066459 | 96/08 | Nirman Cements Ltd. N.H. 30 Bihta Patna, Bihar | Portland slag cement (fourth revision) (Amendments 3) | IS 00455:89 |
| 40. | 6108757 | 96/08 | Espiem Plastics Ltd. 225, Mettukuppam, Okiam-Thoraipakkam Madras 600 096 | Specification for plastic flushing cisterns for waterclosets and urinals (First revision) (Amendment No. 4) | IS 07231:84 |

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| 41. | 6109759 | 96/08 | Suntrap Devices B-49, NGO B Colony Jawahar Nagar Tirunelveli 627 007 | Solar flat plate collector: Part 1 Requirements (first revision) (Amendments 2) | IS 12933:92 Part 01 |
| 42. | 6109860 | 96/08 | D.P. Foam (P) Ltd. 13, Rangapillai Street, P.B. No. 130 Pondichery 605 001 | Flexible load bearing polyurethane foam components for vehicles | IS 08255:76 |
| 43. | 6110744 | 96/08 | Green Revolution Centre 1-A, Kattur Road, Rasipuram Dist. Salem 637408 | Malathion emulsifiable concentrates (second revision) (with amendment No. 1) | IS 02567:78 |
| 44. | 6112445 | 96/08 | Steel Authority of India Ltd. Madras Port Trust, Marshalling Yard Area, South Beach Road, Madras | Hot rolled steel skelp/strips for welded tubes and pipes (Amendment 1) | IS 10748:84 |
| 45. | 6108858 | 96/08 | Sree Ramcides Chemicals No. 11E, Sipcot Complex Puducottai 622002 | Cypermethrin EC (Amendment 1) | IS 12016:87 |
| 46. | 6106854 | 96/08 | Hindustan Ciba Geigy C/o Rouland Agrochemicals (P) Ltd. 90D, Phase I, Road No. 14 Jeedimetla, Hyderabad | Monocrotophos SL (second revision) | IS 08074:90 |
| 47. | 6109052 | 96/08 | Integrated Thermoplastics Ltd. Maniharabad, Toopran Mandal, Medak Dist. 502334 | Unplasticised PVC pipes for potable water supplies (second revision) (Amendment 1) | IS 04985:88 |
| 48. | 6108454 | 96/08 | Lando Industries Ltd. Panchagunnari Chittoor Srikalahasthi Mandalam 517641 | Portland slag cement (fourth revision) (Amendments 3) | IS 00455:89 |
| 49. | 6107250 | 96/08 | Neelakanth Cements Pvt. Ltd. Plot No. 12 E Block IDA, Autonagar, Visakhapatnam, Visakhapatnam 530012 | Portland slag cement (fourth revision) (Amendments 3) | IS 00455:89 |
| 50. | 6107048 | 96/08 | Navbharat Pulverisers Unit: IDA No. 35-36 Venkatadripalem Nalgonda Miryalaguda | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 51. | 6106753 | 06/08 | RK Cements Co. Rajulamanyam East Godavari, Rajahmundry | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |

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| 52. | 6108151 | 96/08 | Shree Balaji Iron Foundry Pvt. Ltd. P2, IDA Nadharam, Hyderabad 500 076 | Cast iron detachable joints for use with asbestos cement pressure pipes (first revision) (Amendment 1) | IS 08794:88 |
| 53. | 6109254 | 96/08 | Sapthagiri Cements Pvt. Ltd. Ram Nagar, Chintalapalam PO, Panduethi SO, Vizianagaram Distt. 531 173 | Portland slag cement (fourth revision) (Amendments 3) | IS 00455:89 |
| 54. | 6107654 | 06/08 | Shree Lakshmi Cements Plot No. 124 & 125 IDA, Kondapalli Krishna 521228 | Copper brazed steel tubing | IS 08119 |
| 55. | 6108959 | 96/08 | Sri Sai Renewable Energy Devices Opp to Cement Godown Abulder Nagar, Ananhtapur | Solid bio-mass Chulha: Part 1 Portable (metallic) (Amendments 2) | IS 13152:91 |
| 56. | 6108555 | 96/08 | Sri Vishnu Pipes Pvt. Ltd. S.No. 79, Chetla Pothram Village, Jinnaram Mandal, Medak Distt. | Asbestos cement pressure pipes (Third revision) | IS 01592:89 |
| 57. | 6108050 | 96/08 | Unique Metrode Pvt. Ltd. Ranashalam, Srikakulam 532407 | Covered electrodes for manual metal arc welding of carbon and carbon manganese steel (Fifth revision) | IS 00814:91 |
| 58. | 6109658 | 96/08 | Vijay Polyplast (P) Ltd. Plot No. 132/3, 133/2, Phase-II IDA, Cherlapally R.R. Distondi | High density polyethylene pipes for potable water supplies; sewage and industrial effluents (third revision) | IS 04984:87 |
| 59. | 6106955 | 96/08 | Hindustan Ciba Geigy C/o Rouland Agrochemicals(P) Ltd. 90D, Phase I, Road No. 14 Jeedimetla, Hyderabad | Phosphamidon water soluble concentrates (first revision) | IS 06177:81 |
| 60. | 6107351 | 96/08 | Neelakanth Cements Pvt. Ltd. Plot No. 12 E Block IDA, Autonagar, Visakhapatnam Visakhapatnam 530012 | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 61. | 6107553 | 96/08 | Penna Cement Industries Ltd. Talaricheruvu Tadpatri Mandal Anantapur Dist. (A.P.) | Portland slag cement (fourth revision) (Amendments 3) | IS 00455:89 |

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| 62. | 6107149 | 96/08 | Suvarna Cements Limited Mellacheruvu 508264 Nalgonda District | Portland Pozzolana Cement | IS 01489:91 |
| 63. | 6107452 | 96/08 | Sri Vyshnavi Conductors F/4, Indl. Estate (Extension) Nandyal, Distt. Kurnool (AP) 518502 | Aluminium conductors for overhead transmission purposes: Part 1 Aluminium stranded conductors (second revision) (Amendment No. 1) | IS 00398:76 Part 01 |
| 64. | 7112551 | 96/08 | Bharat Switchgears B-2, Ashwaini Society, Wakdewadi, Bombay Pune Road, Pune 411005 | Residual current operated circuit breakers | IS 12640:88 |
| 65. | 7113048 | 96/08 | Modern Pipes & Allied Products Industries Plot No. 64 to 72 Indl. Estate Station Road, Kopargaon, Ahmednagar Distt. 423601 | Precast concrete pipes (with and without reinforcement) (third revision) (Amendments 2) | IS 00458:88 |
| 66. | 7112955 | 96/08 | Panduranga Pipe Industries Plot No. 45 to 48 & 58 to 61 Chandramoli Indl. Co-operative Estate, Mohol Solapur Distt. | Precast concrete pipes (with and without reinforcement) (third revision (Amendments 2) | IS 00458:88 |
| 67. | 7112854 | 96/08 | Wainganga Cement Products Survey No. 67, Asthi Dhamorshi Road, At : Asthi, Tal: Chamorshi Gadchiroli Distt. | Precast concrete pipes (with and without reinforcement) (third revision (Amendments 2) | IS 00458:88 |
| 68. | 7113856 | 96/08 | Shreeji Cement Private Limited, Block No 402 Plot No 25 to 26 Panchdev Industrial Estate, Bombhara Patta Pipodra Tal Mangrol Distt. Surat 394110 | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 69. | 7111953 | 96/08 | Doshi Heaters Pvt. Ltd., B-49, Industrial Estate, Udhna-394 210 | Safety of household and similar electrical appliances: Part 2 Particulars requirements Sec 3 Electric Iron | IS 00302:92 Part 02 Sec 03 |
| 70. | 7113654 | 96/08 | LK Pace India Pvt. Ltd. 165, GIDC Industrial Estate, Makarpura, Baroda District, 391510 | Plugs and socket outlets of rated voltage up to and including 250 volts and rated current up to and including 16 amperes (second revision) (Amendments 3) | IS 01293:88 |
| 71. | 8159380 | 96/08 | Har Narain Tubes, WZ-754 A, Sudershan Park, New Delhi 110015 | Mineral filled sheathed heating elements (second revision) (Amendments 6) | IS 04159:88 |

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| 72. | 8160063 | 96/08 | Expo Enterprises 380/81, Gali Mata Wali, Teliwara, Delhi 110006 | Thermostats for use with electric water heaters (first revision) (Amendments 2) | IS 03017:85 |
| 73. | 8159481 | 96/08 | Shital Electricals WP-1, Wazir Pur Village, Delhi 110042 | Mineral filled sheathed heating elements (second revision) (Amendments 6) | IS 04159:83 |
| 74. | 8160062 | 96/08 | Arkay Electricals MSC 174 Yognaya Mohalla Paharganj New Delhi 110055 | Mineral filled sheathed heating elements (second revision) (Amendments 6) | IS 04159:83 |
| 75. | 8160264 | 96/08 | Bharti Electricals 2824/5, Bhagat Singh Street Chuna Mandi Pahar Ganj New Delhi 110055 | Mineral filled sheathed heating elements (second revision) (Amendments 6) | IS 04159:83 |
| 76. | 8159885 | 96/08 | Digiflex (I) Ltd. 55 & 58 D, Noida Export Processing Zone (NEPL), Noida (U.P.) | Surgical rubber gloves (first revision) (Amendment 1) | IS 04148:89 |
| 77. | 8159986 | 96/08 | Glamour Electricals 4/9, Asaf Ali Road New Delhi 110002 | Safety of household and similar electrical appliances: Part 2 Particular requirements, Sec 30 Electric radiators (Amendment 1) | IS 00302:92 Part 02 Sec 30 |
| 78. | 8159178 | 96/08 | Oriental Colour & Paint Industries B-91, Mayapuri New Delhi 110064 | Cement paint (first revision) (Amend- ment 1) | IS 05410:92 |
| 79. | 8160365 | 96/08 | Pagoda Cables (P) Ltd. 511/1 E4B Street No. 3 Vishwas Nagar Shahdara Delhi 110032 | PVC insulated (heavy duty) electric cables: Part 1 For working voltages upto and including 1 100 V (Third revision) | IS 01554:88 Part 01 |
| 80. | 8159582 | 96/08 | Paragon Cables (India) Rhasra 45/6 P.O. Prahladpur Delhi 110042 | Crosslinked polyethylene insulated PVC sheathed cables: Part 1 For working voltage up to and including 1 100 V (first revision) (Amendment 1) | IS 07098:88 Part 01 |
| 81. | 8159683 | 96/08 | Rex Enterprises 283 Than Singh Nagar Gali No. 2, Military Road New Delhi 110005 | Mineral filled sheathed heating elements (second revision) (Amendments 6) | IS 04159:83 |

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| 82. | 8159279 | 96/08 | Vardhman Home Appliances Pvt. Ltd. Phase II Delhi 110041 | Mineral filled sheathed heating elements (second revision) (Amendment 6) | IS 04159:83 |
| 83. | 8159784 | 96/08 | Harsh Plastic Industries 200A, 201, Sector E Industrial Area Sanwer Road Indore | PVC Insulated cables for working voltages upto and including 1100 V (third revision) (Amendment No. 1 to 4) | IS 00694:90 |
| 84. | 8158782 | 96/08 | Varun Cements Ltd. (Vaneen Unit) Village Anzera Tehsil Sardarpur Dhar | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 85. | 8158378 | 96/08 | Classic Irrigation Equipments Pvt. Ltd. Plot No. 10, Gondwara Ring Road No. 2 Urla Industrial Estate, Sarora Rajpur | Polythylene pipes for sprinkler irrigation systems: Part 1 Pipes | IS 14151:94 Part 01 |
| 86. | 8157982 | 96/08 | Havell's India Limited A-461/462 Matsya Industrial Area Alwar 301030 | PVC insulated (heavy duty) electric cables: Part 1 For working voltages upto and including 1 100 V (Third revision) | IS 01554:88 Part 01 |
| 87. | 8157477 | 96/08 | Taran Cement Company 27 KM. From Jaipur F-77, Jaitpura Industrial Area Jaipur 302012 | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 88. | 8158075 | 96/08 | Havell's India Limited A-461/462 Matsya Industrial Area Alwar 301030 | PVC Insulated cables for working voltages upto and including 1100V (third revision) (Amendments No. 1 to 4) | IS 00694:90 |
| 89. | 8159077 | 96/08 | Nokha Cement (P) Ltd. Village - Bikasar, SP-1(C) RHICO Industrial Area Nokha Bikaner | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 90. | 8158479 | 96/08 | Soni Ceramics Pvt. Ltd. 14, 15, 16, Industrial Estate Nagpur | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 91. | 9119373 | 96/08 | Asian Valves 82, Dada Colony, Indl. Area Jalandhar (Punjab) 144004 | Copper alloy gate, globe and check valves, for water works purposes (Fourth revision) (Amendments) | IS 00778:84 |

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| 92. | 9118977 | 96/08 | Bawa Foundry & Engg. Works Vill : Gadaipur, PO Randhawa Masandan Jalandhar City (Punjab) | Malleable cast iron pipe fittings (second revision) (Amendments No. 3) | IS 01879:87 |
| 93. | 9119070 | 96/08 | Chopra Malleables D-35, Focal Point Jalandhar City (Punjab) | Malleable cast iron pipe fittings (second revision) (Amendment Nos. 3) | IS 01879:87 |
| 94. | 9119676 | 96/08 | Darshan Plastic Limited Bhawanigarh Road Distt. Patiala Samana (Punjab) 147101 | Unplasticised PVC pipes for potable water supplies (second revision) (Amendment 1) | IS 04985:88 |
| 95. | 9119171 | 96/08 | Krishna Auto Industries C-31, Focal Point Jalandhar (Punjab) | Malleable cast iron pipe fittings (second revision) (Amendment No. 3) | IS 01879:87 |
| 96. | 9118876 | 96/08 | Navdurga Cement Works Bhallu Wala Road Faridkot 151203 | Precast concrete pipes (with and without reinforcement) (third revision) (Amendments 2) | IS 00458:88 |
| 97. | 9119272 | 96/08 | Rainbow Electric Appliances Pvt. Ltd. 6515, Sucha Singh Street Mehna Chowk Bathinda (Punjab) | Single-phase small ac and universal electric motors (second revision) (amendments no. 2) | IS 00996:79 |
| 98. | 9120358 | 96/08 | Shree Atam Mandhar Industries D-115, Focal Point Khanna (Punjab) 141401 | Compoundeds feeds for cattle (third revision) (Amendment No. 3) | IS 02052:79 |
| 99. | 9119474 | 96/08 | S. Nihal Metal Industries Indl. Area, Street No. 1 Dada Colony Jalandhar (Punjab) | Malleable cast iron pipe fittings (second revision) (Amendment Nos. 3) | IS 01879:87 |
| 100. | 9118775 | 96/08 | Durga Cement Pvt. Ltd. Behror Road, Distt. Mohindergarh Karnaul | Portland pozzolana cement: Part 2 calcined clay based (third revision) (Amendment No. 1) | IS 01489:91 Part 02 |
| 101. | 9119575 | 96/08 | Plast India 25, B.F., Industrial Estate Batala | Diaphragm type (plastic body) float operated valves for cold water services | IS 13049:91 |
| 102. | 9120257 | 96/08 | R.B. Jodhamal & Co. (P) Ltd. Topesher Khanian Jammu Tawi 180 001 | Mild steel wire rods for general engineering purposes (first revision) | IS 07887:92 |
| 103. | 9120055 | 96/08 | S.K. Electrical Appliances SCO 100, Sector 40-C Chandigarh | Safety of household and similar electrical appliances : Part 2 Particular requirements, Sec 202 electric stoves | IS 00302:92 Part 02 Sec. 202 |
| 104. | 9119777 | 96/08 | Tarlo Agro Industries Pvt. Ltd. Village & P.O. Jharmari Patiala 147001 | Phorate granules, encapsulated (Amendments 2) | IS 09359:80 |

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| 105. | 9119878 | 96/08 | Trilo Agro Industries Pvt. Ltd. Village & P.O. Jharmari Patiala 147001 | Dimethoate emulsifiable concentrates (second revision) (Amendment 1) | IS 03903:84 |
| 106. | 9117874 | 96/08 | J.K. Jute Mill Co. Ltd. Kalpi Road Fazal Ganj Kanpur | Jute bags for packing foodgrains 50 Kg | IS 12650:89 |
| 107. | 9120156 | 96/08 | U.P. Asbestos Ltd. Mohalal Ganj Lucknow | 33 Grade ordinary portland cement (fourth revision) (Amendments 3) | IS 00269:89 |
| 108. | 6107755 | 96/08 | Tuticorin Alkali Chemicals & Fertilizers Limited Harbour Construction Road Tuticorin 628 005 | Sodium bicarbonate (first revision) | IS 02124:74 |
| 109. | 6107957 | 96/08 | Suraj Metal Industries Plot No. 99 8th Main III Phase Peenya Industrial Area Bangalore 560058 | Domestic pressure cookers (third revision) | IS 02347:87 |
| 110. | 6107856 | 96/08 | Tools Engineering No. 71, 2nd Main Road, Rajainagar Industrial Town Bangalore 560058 | Rotating sprinkler: Part 1 Designed and operational requirement Part 01 | IS 12232:87 |
| 111. | 0485555 | 96/08 | General Engg. Works 12/2, Mile Stone Mathura Road Faridabad (Haryana) | Indented wire for prestressed concrete (first revision) (Amendment 1) | IS 06003:83 |
| 112. | 9091983 | 96/08 | Swarajya Cements Industries (P) Ltd. Mile Stone 3 Km Sohna Tarn Road Sohna Distt. Gurgaon | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |

नागरिक प्रगति, उपभोक्ता मामले और सार्वजनिक वितरण मंत्रालय

भारतीय मानक ब्यूरो

नई दिल्ली, 31 मई 1999

का.भा. 1803:—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के उपविनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसी के वितरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :

अनुसूची

| क्र. सं. | लाइसेंस संख्या | स्वीकृत करने की तिथि वर्ष/माह | लाइसेंसधारी का नाम व पता | शीर्षक भारतीय मानक | भारतीय मानक सं. भाग/अनुभाग/ वर्ष |
|----------|----------------|-------------------------------|--|---|----------------------------------|
| (1) | (2) | (3) | (4) | (5) | (6) |
| 1. | 5067461 | 96/09 | मीमा वायर्स प्रा. लि., संतोष पुर, बजबज रोड, 24 परगना (द.) पश्चिम बंगाल 743 352 | इनेमल किये गोल वाईडिंग तारे | आईएस 04800 : 68 भाग 05 |
| 2. | 5067966 | 96/09 | रिलायंस पॉलीमर्स 54/बी, जय किशन स्ट्रीट, पी.ओ. उत्तरपाड़ा, हुगली, पश्चिम बंगाल 712 258 | पेयजल आपूर्ति हेतु सीखरोचित पीवीसी फिटिंग की विशिष्ट | आईएस 10124 : 88 |
| 3. | 5067865 | 96/09 | दि तितागढ़ जूट फैक्टरी पीएलसी, तितागढ़ पोस्ट, (नं. 2 मील), 24 परगना (उ) पं. बंगाल 743 188 | वस्त्रादि-अनाज भरने के लिए | आईएस 02566 : 93 |
| 4. | 5067663 | 96/09 | कचन आयल इंडस्ट्रीज लि. शोनलादेरी, पोस्ट मारग्राम जिला मिर्जापुर (प.ब.) 721 507 | वनस्पति | आईएस 10633 : 86 |
| 5. | 5067360 | 96/09 | पिमोनियर प्लास्टिक वर्क्स प्रा. लि., बसन्त लाल शाह रोड, कलकत्ता 700 053 | सिचाई उपस्कर (सर्जक) | आईएस 13487 : 92 |
| 6. | 5067562 | 96/09 | प्रेसीडेंसी रबड़ मिक्स प्रा. लि., 11, न्यू संथा रोड, कलकत्ता 700 046 | वैलिडिंग के लिए रबड़ होज | आईएस 00447 : 80 |
| 7. | 5068160 | 96/09 | राजा सीमेंट प्राइवेट लिमिटेड, भाब एंव पोस्ट राजगुडा, धौया पोस्टेरी, जिला कोरापट, उड़ीसा | 33 ग्रेड साधारण पोर्टलैंड सीमेंट | आई एस 00269 : 89 |
| 8. | 5067764 | 96/09 | शिव पॉलीटेक्निक प्रा. लि., पी.ओ. सबलपुर, पटना 800 009 | एस्वेस्टास सीमेंट के दाब पाइप | आईएस 01592 : 89 |
| 9. | 6109557 | 96/09 | हाउसमैयर इंड., 1/9 ए-1, ए-2, 2/1, 2/2 एस.आर. कंवीगई रोड, बाइना, प्रानुलपुरम, गुमीडीपल्ली 601 201 | पिटवां एल्युमीनियम के बर्तन | आईएस 01660 : 82 भाग 01 |

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| 10. | 6109981 | 96/09 | माधुरी स्टील्स, 11/2 ए/2 सी, कुमारगामंगलम, भतुर, कुलातुर तालुक, पंडुकोट्टई जिला 622 515 | कंक्रिट प्रबलन के लिए उच्च सामर्थ्य विन्यासित इस्पात के सिरिए और खारे | आईएस 01786 : 85 |
| 11. | 6111039 | 96/09 | काली ग्रान्ड स्टेनलैस स्टील फैक्टरी, 42/6 बी, मद्रास रोड, मेलाकावैरी, कुम्माकोणम 612 002 तमिलनाडु | घरेलू प्रेशर कुकर | आईएस 02347 : 87 |
| 12. | 6111140 | 96/09 | गुराधना वायर्स प्रा. लि., प्लॉट नं. 77, होनिगा इंड. एस्टेट, बेलगाम 591 113 | हस्त्यधातु आर्क वेल्डिंग के लिए आवृत्त कार्बन और कार्बन मँगनीज इस्पात इलेक्ट्रोड | आई एस 00814 : 91 |
| 13. | 6111241 | 96/09 | न्यू कनटिक टिन फैक्टरी, प्लॉट नं. सी-33, इंड. एस्टेट, गोकुल रोड, हुबली 30 | चीकोर कनस्टर - 15 कि. ग्रा. घी, वनस्पति, खाद्य तेलों और बेकरी में प्रयुक्त मोयन के लिए | आईएस 10325 : 89 |
| 14. | 6110340 | 96/09 | दक्कन पाइप इंडस्ट्रीज, सर्वे नं. 450, मुर्यंगा गांव, पाटनचूडमंडल | पानी की आपूर्ति के लिए उच्च घनत्व वाले पॉलिएथिलीन पाइप | आईएस 04984 : 87 |
| 15. | 6110138 | 96/09 | गोयर्स टिम्बर टेक्नीक्स लिमिटेड, 18-ए, फेस 1, आई डी ए, जीडिमेतला, हैवराबाद 500 055 | लकड़ी के सपाट दरवाजे के शटर (टोस कोर प्रकार) भाग 1 प्लाईवुड सतहयुक्त पल्ले | आईएस 02202 : 91 भाग 01 |
| 16. | 6110845 | 96/09 | हैवराबाद कंट्रोल्स एण्ड स्किमेटिक्स लि., श्रीनगर, गांधीपेट, राजेन्द्र नगर, भार और जिला | घरेलू और समान कार्यों के लिए स्विच | आईएस 03854 : 88 |
| 17. | 6111443 | 96/09 | सुराना स्ट्रिप्स लिमिटेड, यूनिट 2, सुराना स्ट्रिप्स, गांव चिटकुल, पाटनचूडमंडल | यांत्रिक और सामान्य प्रयोजनों के लिए इस्पात के पाइप | आईएस 02601 : 84 |
| 18. | 6109355 | 96/09 | मिश्रक-दीप सिस्टम्स, प्लॉट नं. 105, भार के नगर, मल्काजगिरि, हैवराबाद 500 047 | ठोस जैववायु बूल्हा भाग 1 सुकाया (धात्विक) | आईएस 13152 : 91 भाग 01 |
| 19. | 6110643 | 96/09 | असरानी ट्यूब्स प्रा. लि., प्लॉट नं. 45 से 47, फेस 4 आईडीए, पाटनचूडमंडल 502 320 जिला मेडक (आ. प्र.) | यांत्रिक और सामान्य प्रयोजनों के लिए इस्पात के पाइप | आईएस 03601 : 84 |
| 20. | 6110441 | 96/09 | श्री साई इंडस्ट्रीज लि., 146, एआईडी, पेडागन्टयाडा, विशाखापट्टनम | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 08112 : 89 |
| 21. | 6110037 | 96/09 | अन्ना एल्युमीनियम लिमिटेड, के. पी. 7/608, किजुक्कल्लम प्रोस्ट, अलवा, अनाकुमल 683 562 | घरेलू प्रेशर कुकर | आईएस 2347 : 87 |

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| 22. | 6110239 | 96/09 एचएसएन प्लास्टिक्स, वीपी वी-80 आमबाद, पी.ओ. पथरीयाड, कन्नौर 670 741 | विद्युत संस्थान के लिए कंड्यूट भाग 3 कंड्यूट, विद्युत रोधक सामग्री के लिए दूध सांद्र कंड्यूट | आईएस 09537 : 81 भाग 03 | |
| 23. | 6110542 | 96/09 मनारघट क्रम्ब रबड़ फैक्ट्री, पेरीम्बावरी, मनारघट तालुक पालघाट 678 762 | कच्ची प्राकृतिक रबड़ | आईएस 04588:86 | |
| 24. | 6110946 | 96/09 वक्कन इंडस्ट्रीज 259, सेठी रोड, एरान्थोट्टम, गणपति, कोयम्बतूर 641 006 | खाने के लिए मिमोजय पम्पसेट | आईएस 14220 : 94 | |
| 25. | 6111746 | 96/09 जय इंडस्ट्रीज 4/124, अम्मनकुलम रोड, पी. एन. पलायम, कोयम्बतूर 641 037 | कृषि, कार्यों के लिए साफ, ठंडे पानी के मोनोसैंट पम्प | आईएस 09079 : 89 | |
| 26. | 7113452 | 96/09 | 250 बोल्ट तक की रेटित बोल्टता और 16 एम्पीयर तक की रेटितधारा के लिए प्लग, साकेट, आउटलेट | आईएस 01293 : 88 | |
| 27. | 7114959 | 96/09 आयलामिक्स, डेयरी इंडस्ट्रीज लि. ई-94, एमआईडीसी भगवान रोड, बारामति, पुणे जिला | मलाई सहित दूध पाउडर भाग 1 मानक ग्रेड | आई एस 13334 : 92 भाग 01 | |
| 28. | 7114535 | 96/09 इलेक्ट्रोनिक्स कम्पैसर्स प्रा. लि., 254/255, कन्साहम इंड. एस्टेट, पोडा, गोवा 403 110 | पात्रर तंत्र के लिये गैट संघारित | आईएस 02834 : 86 | |
| 29. | 7114252 | 96/09 कृष्णा फिलामेंट्स लि., एफ-2/7 सिनार इंडस्ट्रियल एरिया, नासिक जिला | पॉलीप्रोपायलिन रस्सी | आईएस 05175 : 82 | |
| 30. | 7114656 | 96/09 सी पीएस लि., प्लॉट नं. ए-59/60, एमआईडीसी मलागांव, सिनार, नासिक जिला 422 103 | पानी, गैस और मलजल के लिये विद्युत वेल्डिंग इस्पात पाइप (188.3 से 2032 मिमी. सांकेतिक साइज) | आईएस 03589 : 91 | |
| 31. | 7113149 | 96/09 दीपा इंडस्ट्रीज, 103, आशीबाव इंड. एस्टेट बिल्डिंग नं. 3, राममंदिर रोड, गोरेगांव (प.), बम्बई 400 104 | सीलिंग रोज | आईएस 00371 : 79 | |
| 32. | 7115456 | 96/09 लॉयड्स मेटल्स एण्ड इंजीनियर्स लि. एम-1, एडि. एमआईडीसी कुडावली गांव, मरबाद, थाणे जिला | संरचना उपयोग के लिए इस्पात के खोलने सेक्शन | आईएस 04923 : 85 | |

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| 33. | 7113957 | 96/09 | रेडिड इंडस्ट्रीज, मेहता इंडस्ट्रियल एस्टेट, गाना नं. 52, प्रथम तल, लाइब्रेरी गार्डन, रोड नं. 3, मलाइ बम्बई 400 064 | 250 वोल्ट तक की रेडिट बोस्टता और 16 एम्पीयर तक की रेडिटधारा के लिये प्लग सॉकेट आउटलेट | आईएस 01293 : 88 |
| 34. | 7113533 | 96/09 | राज मेटल इंडस्ट्रीज, भरुच कम्पाउन्ड नं. 2, गाला नं. 2, मुसा किलेन्द्र स्ट्रीट, क्लर्क रोड, बम्बई | तेलदाब स्टोव और तेलदाब हीटर के बनेर | आईएस 08808 : 86 |
| 25. | 7114151 | 96/09 | हेमा सीमेंट्स प्राइवेट लिमिटेड, प्लाट नं. 4, सर्वे नं. 25, गांव बजाडीवाव एश्वर्या रोड, ता : लोदिका, जिला राजकोट-360 003 | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 08112 : 89 |
| 36. | 7114353 | 96/09 | रूपारल प्लास्टिक्स प्रा. लि., 66 उमानिया बदार, महुआ जिला भावनगर 364 290 | पॉलीप्रोपलीन रस्सी | आईएस 05175 : 92 |
| 37. | 7115052 | 96/09 | गुजरात एग्री इंडस्ट्रीज कारपो. लि., बराज बग, समीप चेस्ट डि. हॉस्पिटल, नेशनल हाइवे नं. 8, नारोदा अहमदाबाद 380 025 | फेलाधियान जल पायसनीय चूर्णसांद्र | आईएस 02569 : 78 |
| 38. | 7114757 | 96/09 | टाटा केमीकल्स लि., ओखामंडल गुजरात मीठापुर, जिला जामनगर-361 345 | विनाई का सीमेंट | आईएस 03466 : 88 |
| 39. | 8162268 | 96/09 | एका एप्पलायंसेस डब्ल्यू जेड 114 सी/1 टोडापुर, नई दिल्ली-110 012 | द्रवित पेट्रोलियम गैसों के साथ प्रयुक्त घरेलू गैस चूल्हे | आईएस 04246 : 92 |
| 40. | 8164575 | 96/09 | भान इलेक्ट्रिकल्स, के-2/7, गामरी रोड, वेस्ट घोंडा, दिल्ली-110053 | घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं खंड 3 विद्युत इस्तरि | आईएस 00302 : 92 भाग 02 खंड 03 |
| 41 | 8162369 | 96/9 | वेल्लेज एप्पलायंसेस 402, गांव महिपालपुर, न्यू, गुडगांव रोड, नई दिल्ली-110 037 | द्रवित पेट्रोलियम गैसों के साथ प्रयुक्त घरेलू गैस चूल्हे | आईएस 04246 : 92 |
| 42. | 8161872 | 96/09 | श्री गिरराज इंडस्ट्रीज भिकारी सिंह बिल्लिंग, प्रथम तल, खसरा नं. 299, गोकुलपुर गांव, दिल्ली-110 094 | द्रवित पेट्रोलियम गैसों के साथ प्रयुक्त घरेलू गैस चूल्हे | आईएस 04246 : 92 |

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| 43. 8164676 | 96/09 | हेबैल्स इंडिया लिमिटेड 6, सिलक नगर इंड. एरिया, नई दिल्ली-110 018 | ए.सी. बाट घंटा मीटर क्लास, 0.5 1 एवं 2 | आईएस 13010: 90 | |
| 44. 8164375 | 96/09 | हीटसन इंडस्ट्रीज, गली नं. 3, प्लॉट नं. 4 रेलवे लाइन की तरफ, आनन्द पार्क इंड. एरिया नया रोहतक रोड, नई दिल्ली-110 005 | घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं | आईएस 00302:92 भाग 02 खंड 01 | |
| 45. 8163977 | 96/09 | निशा केबल कं. (प्रा) लि., 7/86 बी, अर्जुन गली, विश्वास नगर, शाहदरा | 1100 वोल्ट तक की कार्यकारी वोल्टता के लिए पीवीसी रोधित केबल | आईएस 00694: 90 | |
| 46. 8162571 | 96/09 | आर. के. एस. एप्लायसेस (प्रा) लि., बी-18, खजान बस्ती, मायापुरी, फेस 2, नई दिल्ली-110064 | विद्युत इस्तरी | आईएस 00366: 91 | |
| 47. 8162470 | 96/09 | संगम इंटरप्राइजेज, इंड्युज्ड-161/19, सी, खजानबस्ती, मायापुरी नई दिल्ली-110064 | द्रवित पेट्रोलियम गैसों के साथ प्रयुक्त घरेलू गैस बूल्हे | आईएस 04246:92 | |
| 48. 8164171 | 96/09 | संगीता इलेक्ट्रिकल्स (इंडिया) 5/37 (सी-57), कांति नगर, समीप प्लाजा मैरिजहोम, दिल्ली | विद्युत इस्तरी | आईएस 00366:91 | |
| 49. 8163169 | 96/09 | सम्राट इंडस्ट्रीज, 573/3, गांव मंडोली, समीप शिव मंदिर, नन्दनगरी, दिल्ली-110093 | एक फेज लघु ए. सी. और सार्विक बिजली की मोटर | आईएस 00996:79 | |
| 50. 8164474 | 96/09 | एस. एम्. इंटरप्राइजेज, 19/181, सराय बस्ती, दिल्ली-110035 | एक फेज लघु ए. सी. और सार्विक बिजली की मोटर | आईएस 00996:79 | |
| 51. 8161165 | 96/09 | श्री शिव इंडस्ट्रीज, 9/18, 19, बजार गली, विश्वास नगर, शाहदरा, दिल्ली-110032 | शार्ट फायरिंग केबल | आईएस 05950:84 | |
| 52. 8161266 | 96/09 | स्वास्तिक वायर्स गली नं. 8, बीरबल का बेरा, समयपुर, दिल्ली-110 042 | पीवीसी रोधित (भारी कार्य) बिजली की केबल भाग 1 1100 वोल्ट तक की कार्यकारी वोल्टता के लिए | आईएस 01554: 88 भाग 01 | |
| 53. 8163270 | 96/09 | बिन्दसर केबल्स (प्रा) लि., 44, एसएसआई, इंडस्ट्रियल एरिया, जो.टी. कस्मास रोड, दिल्ली-110 033 | पीवीसी रोधित (भारी कार्य) बिजली की केबल भाग 1 1100 वोल्ट तक की कार्यकारी वोल्टता के लिए | आईएस 01554: 88 भाग 01 | |
| 54. 8161064 | 96/09 | भस्तीन टनिंग एण्ड पॉलिश वर्क्स, 2892 कृष्ण नीलकण्ठ, वरियागंज, नई दिल्ली-110 002 | घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं खंड 03 विद्युत इस्तरी | आईएस 00302: 92 भाग 02 खंड 03 | |

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| 55. 8160567 | 96/09 | क्राउन सेल्स ए-23, शिवपुरी एक्सटेंशन, पी०ओ० कृष्णा नगर, दिल्ली | विद्युत विकीरकों की बिनिष्टि | आईएस 00369: 92 | |
| 56. 8160668 | 96/09 | क्राउन सेल्स, ए-23, शिवपुरी एक्सटेंशन, पी०ओ० कृष्णा नगर, दिल्ली | घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं खंड 30 विद्युत विकीरक | आईएस 00302: 92 भाग 02 खंड 30 | |
| 57. 8163573 | 96/09 | इयूक इलेक्ट्रिकल इंडस्ट्रीज, बी-77, ओखला इंडस्ट्रियल एरिया, फेज 2, नई दिल्ली 110 020 | बिजली के पानी गर्म करने के भंडारण किस्म के स्थिर हीटर | आईएस 02082: 93 | |
| 58. 8160870 | 96/09 | दसपास सेल्स कारपोरेशन 29/19, लेन नं० 6, इंड० एस्टेट, नया रोहतक रोड, दिल्ली 110 005 | अतिज भार क्षोभदार तापन एप्लीमेंट | आईएस 04159: 83 | |
| 59. 8163371 | 96/09 | एल०ई० इलेक्ट्रिकल्स (इंडिया) 456/426 मिलिट्री परेड रोड, रेडिया कायोनी, दिल्ली 110 009 | अनुप्रस्थ जुड़े हुए पॉलिइथाईलीन विद्युत रोधी ताप स्थायी उके केबल भाग 1 1100 वोल्ट तक की कार्यकारी वोल्टता के लिए | आईएस 07098: 88 भाग 01 | |
| 60. 8163068 | 96/09 | हाउसिंग होम एप्लायमेंस, बी-11, मौजपुर, शाहपुरा, दिल्ली 110 053 | घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं खंड 3 विद्युत इस्तर | आईएस 00302: 92 भाग 02 खंड 03 | |
| 61. 8160971 | 96/09 | कास इलेक्ट्रिकल्स (इंडिया) रजि०, 9/37, शालीमार इंड० एरिया, गली नं० 2, हैदरपुर मेन रोड, दिल्ली 110 052 | कोल खांचा (बायोनेट) लैम्प होल्डर | आईएस 01258: 87 | |
| 62. 8164070 | 96/09 | मिग्लानी इलेक्ट्रिक वर्क्स, 487/99, गांव पीरागढ़ी, (समीप चम्पियन सर्विस स्टेशन) दिल्ली 110 041 | घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं खंड 03 विद्युत इस्तर | आईएस 00302: 92 भाग 02 खंड 03 | |
| 63. 8163472 | 96/09 | प्रिबू इंडस्ट्रीज लि०, 195/4 नांगलोई नगरावती, नजफगढ़ रोड, नई दिल्ली 110 043 | पीवीसी रोधित (भारी कार्य) बिजली की केबल भाग 1 1100 वोल्ट तक की कार्यकारी वोल्टता के लिए | आईएस 01554: 88 भाग 01 | |
| 64. 8162672 | 96/09 | आर०के०एस० एप्लायमेंस (प्रा) लि, बी-18, खजान बस्ती, मायापुरी, फेज 2, दिल्ली 110 064 | घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं खंड 03 विद्युत इस्तर | आईएस 00302: 92 भाग 02 खंड 03 | |

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| 65. 8163876 | 96/09 | शान्ति इलेक्ट्रिकल वर्क्स, एन-62 शांति नगर, दयाला रोड, नई दिल्ली 110 018 | घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं खंड 1 | आईएस 00302:92 | भाग 02 |
| 66. 8162975 | 96/09 | सेयको इलेक्ट्रिकल्स, 408/5, एजी 1, गली नं० 30, नई बस्ती, आनन्द पूर्वत, नई दिल्ली 110 005 | घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं खंड 01 | आईएस 00302:92 | भाग 02 खंड 01 |
| 67. 8164272 | 96/09 | संगीता इलेक्ट्रिकल्स (इंडिया), 5/37 (सी-57) कान्ति नगर, समीप प्लाजा मैरिज होम, दिल्ली | घरेलू और समान विद्युत साधनों की सुरक्षा भाग 2 विवरणात्मक अपेक्षाएं खंड 03 विद्युत इस्तरों | आईएस 00302:92 | भाग 02 खंड 03 |
| 68. 8161973 | 96/09 | क्वालिटी फाउन्ड्री इंडस्ट्रीज, एम्मासोनी इंडस्ट्रियल एस्टेट, रायपुर 492 001 | अपशिष्ट और संघातन के लिए रेत के सॉचों में ठोके लोहे के सिपगेट और साकेट पाइप (फिटिंग और सहायक) | आईएस 01729:79 | |
| 69. 8161367 | 96/09 | काक्का स्टील्स प्रा० लि०, 54-ए, सेक्टर बी, इंड० एरिया, भण्डीदीय, रायसेन | सामान्य संरचना इस्पात में पुनर्वेलन के लिए कार्यन क्षलवा इस्पात बिलेट इंगट बिलेट ब्लूम और स्लैब की विशिष्टि | आईएस 02830:93 | |
| 70. 8162066 | 96/09 | संस इंजीनियरिंग इंडस्ट्रीज, 11-बी लक्ष्मीबाई नगर, फोर्ट, इंडस्ट्रियल एस्टेट, इंदौर 452 006 | द्रव चालित डोर क्लोजर | आईएस 03564:86 | |
| 71. 8160769 | 96/09 | चिन्मया सीमेंट्स प्रा० लि०, गाँव तिजरा, मुपन्ता, पोस्ट देवेन्द नगर, पन्ना | 33 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 00269:89 | |
| 72. 8161468 | 96/09 | एको पेन्ट्स प्राइवेट लिमिटेड, ए-115-ए, इंडस्ट्रियल एरिया, अलवर, भिवाड़ी 301 019 | सीमेंट रोगन | आईएस 05410:92 | |
| 73. 8163674 | 96/09 | ब्लेड (इंडिया) एफ-943, रोड नं० 13, विश्वकर्मा इंडस्ट्रियल एरिया, जयपुर 302 013 | पानी की आपूर्ति के लिए उच्च घनत्व वाले पॉलिएथिलीन पाइप | आईएस 04984:87 | |
| 74. 8163775 | 96/09 | सीरभ इंडस्ट्रीज, जी-7, रिको इंडस्ट्रियल एरिया, अजमेर, विजयनगर 405 624 | शिरोपरि प्रेषण कार्य के लिए एल्यूमीनियम के चालक भाग 2 जस्तीकृत इस्पात प्रबलित एल्यूमीनियम चालक | आईएस 00398:76 | भाग 02 |

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| 75. 8165173 | 96/09 | भगीरथ सीमेंट्स (प्रा) लि०, एफ-10, 11 एवं 12, इंड० एरिया, सीकर 332 001 | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 08112 : 89 | |
| 76. 8162874 | 96/09 | डीएस पिस्टन्स प्राइवेट लि०, ए-407 ए, रोड नं० 14, बी०के०आई० एरिया, जयपुर | अधिक गहराई में पानी निकालने वाले हैंड पम्प | आईएस 13287 : 87 | |
| 77. 8164979 | 96/09 | गौरी सीमेंट्स (प्रा) लि०, ए-17, रिको इंड० एरिया, बेहरोड़ (जिला अलवर) 301 701 | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 08112 : 89 | |
| 78. 8165072 | 96/09 | लक्ष्मी सीमेंट्स पी०ओ० सिरसी रोड 307 021 जे०के० पुरम सिरसी | 53 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 12269 : 87 | |
| 79. 8162167 | 96/09 | सिधा सीमेंट्स (प्रा) लि०, एफ-55-56-57, जीआई-101-102- 103 रिको इंड० एरिया, बोहरोड़ 301 701 | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 08112 : 89 | |
| 80. 8164777 | 96/09 | नृपन सीमेंट्स प्रा० लि०, बिरामसर, तहसील : रतनगढ़, रतनगढ़ | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 08112 : 89 | |
| 81. 9121360 | 96/09 | अप्रवाल मिनरल ग्राइडिंग इंडस्ट्रीज, पीओ निजामपुर, जिला मोहिन्दरगढ़, निजामपुर (हरियाणा) | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 08112 : 89 | |
| 82. 9121461 | 96/09 | माकंछा सीमेंट्स (प्रा) लि०, गांव सादिकपुरा (समीप सधुरा) जिला यमुनानगर, सादिकपुरा (हरियाणा) 133 004 | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 08112 : 89 | |
| 83. 9121562 | 96/09 | नवीन स्टील इंडस्ट्रीज, जी०टी० रोड, मोहटली, तहसील : नूरपुर, जिला : कांगड़ा, मोहटली (हि०प्र०) | सामान्य इंजीनियरी कार्यों के लिये इस्पात तार के रस्से | आईएस 02266 : 89 | |
| 84. 9121259 | 96/09 | फैंटम इंडस्ट्रीज, 134 अमर गार्डन प्रीत नगर, जालंधर शहर (पंजाब) | धातुबर्धक दलकों लोहे के पाइप फिटिंग की विशिष्ट | आईएस 01879 : 87 | |

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| 85. 9121764 | 96/09 | संतोष स्ट्रक्चरल्स एण्ड एलॉय लि०, जी०टी० रोड, खन्ना (पंजाब) | कंक्रीट प्रबलन के लिये उच्च सामर्थ्य विक्षापित इस्पात के स्रिए और तार | आईएस 01786 : 85 | |
| 86. 9121158 | 96/09 | यू०ई० इंटरप्राइसेज डी-86, फोकल प्वाइंट एक्टें० जालंधर | धातुवर्धक तलवां लोहे के पाइप फिटिंग की विनिर्दिष्ट | आईएस 01879 : 87 | |
| 87. 9120863 | 96/09 | शक्तिमान सीमेंट्स (प्रा) लि०, गांव राजपुर, बिलासपुर रोड, 3.6 किमी० स्टोन फॉर्म सन्धोरा, यमुना नगर | 53 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 12269 : 87 | |
| 88. 9121865 | 96/09 | संतोष स्ट्रक्चरल्स एण्ड एलॉय लि०, जी०टी० रोड, खन्ना (पंजाब) | सामान्य संरचना इस्पात | आईएस 02062 : 92 | |
| 89. 9120661 | 96/09 | | वनस्पति की पैकिंग के लिए नम्य पैकेज, बन्दी सुसज्जित | आईएस 11352 : 85 | |
| 90. 9119979 | 96/09 | बीप सीमेंट (प्रा) लि०, रिहड़ा रोड, गांव नौखोरा, शिकाहाबाद, जिला फिरोजाबाद | 43 ग्रेड साधारण पोर्टलैंड सीमेंट | आईएस 08112 : 89 | |
| 91. 9120459 | 96/09 | केमीकल्स एण्ड इंसेक्टीसाइड्स रामनगर, करणजाह, रेलवे स्टेशन, कुस्मी, गोरखपुर | मैल्थिथियान जल पायसनीय क्षुण्ण मांद्र | आईएस 02569 : 78 | |
| 92. 9121057 | 96/09 | रिलायबल इलेक्ट्रॉनिक्स, डी-1/4, संजय कालीनी, सेक्टर 24, फरीदाबाद, फरीदाबाद | खनिज भरे खोलदार तापन एलीमेंट | आईएस 04159 : 83 | |
| 93. 9093987 | 96/09 | एस० पाल इंटरप्राइसेज 378-379, फेस 4, उद्योग बिहार गुड़गांव 122 015 | 1100 वोल्ट तक की कार्यकारी वोल्टता के लिए पीवीसी रोधित केबल | आईएस 00694 : 90 | |

New Delhi, the 31st May, 1999

S.O. 1603.—In pursuance of Sub-regulation (5) of the Bureau of Indian Standards (Certification) Regulations, 1988, of Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule.

SCHEDULE

| Sl. No. | Licence No. | Operative Date | Name & Address (factory) of the party | Title of the standard | IS: NO/Part/ Sec & Year |
|---------|-------------|----------------|--|--|-------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 1. | 5067461 | 96/09 | Mima Wires Pvt. Ltd. Santoshpur, Budge Budge Road, 24-Parganas (South), West Bengal 743 352 | Enamelled round winding wires: Part 5 Wires for elevated temperatures (Amendments 7) | IS 04800:68 Part 05 |
| 2. | 5067966 | 96/09 | Reliance Polymer, 54/B, Joy Kissen Street, P.O. Uttarpara, Hooghly, W.B. 712 258 | Fabricated PVC fitting for potable water supplies | IS 10124:88 |
| 3. | 5067865 | 96/09 | The Titagurh Jute Factory PLC (No. 2 Mill) Titagarh Post: Titagarh, 24-Parganas (North), West Bengal 743 188 | Textiles-B-twill jute bags for packing foodgrains (third revision) | IS 02566:93 |
| 4. | 5067663 | 96/09 | Kanchan Oil Industries Ltd. Shitladahi, PO Jhargram Distt. Midnapore (WB) 721507 | Vanaspati (first revision) (Amendment 1) | IS 10633:86 |
| 5. | 5067360 | 96/09 | Pioneer Plastic Works Pvt. Ltd. Basant Lal Saha Road Calcutta-700 053 | Irrigation equipment-emitters | IS 13487:92 |
| 6. | 5067562 | 96/09 | Presidency Rubber Mills Pvt. Ltd. 11, New Tangra Road Calcutta-700 046 | Rubber hose for welding (fourth revision) (Superseding IS:3572-1968) | IS 00447:80 |
| 7. | 5068160 | 96/09 | Raja Cements Pvt. Ltd. Vill. and P.O. - Rajuguda Via Poltangi Dist. Koraput Orissa Koraput | 33 Grade ordinary portland cement (forth revision) (Amendments 3) | IS 00269:89 |
| 8. | 5067764 | 96/09 | Shiva Polytubes Pvt. Ltd. At & P.O. Sabalpur Patna 800 009 | Asbestos cement pressure pipes (Third revision) | IS 01592:89 |

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| 9. | 6109557 | 96/09 | Houseware Inds. 1/9A, A-2, 2/1, 2/2, S.R. Kandigi Road Chinna Obulapuram Gummidipoondi 601 201 | Wrought aluminium utensils: Part 1 Cooking table, serving storing and baking utensils (second revision) (Amendments No. 2) | IS 01660:82 Part 01 |
| 10. | 6109961 | 96/09 | Madhuri Steels 11/2A/2C, Kumarangamangalam Mathur, Kulathur Taluk Pudukottai Dist. 622 515 | High strength deformed steel bars and wires for concrete reinforcement (Third revision) (superseding IS:1139-1966) (Amendment No. 1) | IS 01786:85 |
| 11. | 6111039 | 96/09 | Kali Brand Stainless Steel Factory 42/6B, Madras Road Melakaveri Kumbakonam 612 002 Tamil Nadu | Domestic pressure cookers (third revision) | IS 02347:87 |
| 12. | 6111140 | 96/09 | Aradhana Wires Pvt. Ltd. Plot No. 77 Honaga Industrial Estate Belgaum Belgaum 591113 | Covered electrodes for manual metal arc welding of carbon and carbon manganese steel (Fifth revision) | IS 00814:91 |
| 13. | 6111241 | 96/09 | New Karnataka Tin Factory Shed No. C-33 Indl. Estate Gokul Road Hubli 30 | Square tins—15 kg for ghee, Vanaspati, edible oils and bakery shortenings (first revision) (Amendment 1) | IS 10325:89 |
| 14. | 6110340 | 96/09 | Deccan Pipe Industries Survey No. 450, Muthangi Village Patancheru Mandal | High density polyethylene pipes for potable water supplies; sewage and industrial effluents (third revision) | IS 04984:87 |
| 15. | 6110138 | 96/09 | Goyals Timber Technicks Ltd. 18-A, Phase I, IDA, Jeedimetla, Hyderabad 500 055 | Wooden flush door shutters (solid core type): Part 1 Plywood face panels (Fifth revision) (Amendment Nos. 2) | IS 02202:91 Part 01 |
| 16. | 6110845 | 96/09 | Hyderabad Controls & Schematics Limited Sri Nagar, Gandhipet, Rajendra Nagar R.R. District | Switches for domestic and similar purposes (first revision) (Amendments 3) | IS 03854:88 |
| 17. | 6111443 | 96/09 | Surana Strips Limited Unit II, Surana Strips Village Chitkul Patancheru Mandal | Steel tubes for mechanical and general engineering purposes (first revision) (Amendments 2) | IS 03601: 84 |
| 18. | 6109355 | 96/09 | Viswadeep Systems Plot No. 105, R.K. Nagar Malkajigiri Hyderabad 500 047 | Solid bio-mass Chulha: Part 1 Portable (metallic) (Amendments 2) | IS 13152:91 Part 01 |

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| 19. | 6110643 | 96/09 | Asrani Tubes Pvt. Ltd. Plot No. 45 to 47 Phase IV, IDA Patancheru 502 320 Distt. Medak (A.P.) | Steel tubes for mechanical and general engineering purposes (first revision) (Amendments 2) | IS 03601:84 |
| 20. | 6110441 | 96/09 | Sri Sai Industries Ltd. 146, AIE, Pedagantyada Visakapatnam | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 21. | 6110037 | 96/09 | Anna Aluminium Limited K.P. VII/608 Kizhakkambalam P.O. Aluva Ernakulam 683 562 | Domestic pressure cookers (third revision) | IS 02347:87 |
| 22. | 6110239 | 96/09 | Evershine Plastics VP V-80, Chambad P.O. Pathiriyad Kanpur 670 741 | Conduits for electrical installations: Part 3 Rigid plain conduits of insulating materials (superseding IS 2509) | IS 09537:81 Part 03 |
| 23. | 6110542 | 96/09 | Mannarghat Drumb Rubber Factory Perimbadari Mannarghat Taluk Palghat 678762 | Rubber, raw, natural (third revision) (Amendment 1) | IS 04588:86 |
| 24. | 6110946 | 96/09 | Deccan Industries 259, Sathy Road Eranthottam Ganapathy Coimbatore 641006 | Openwell submersible pumpsets | IS 14220:94 |
| 25. | 6111746 | 96/09 | Jai Industries 4/124, Ammankulam Road P.N. Palayan Coimbatore 641037 | Monoset pumps for clear, cold water for agricultural purposes (first revision) (Amendments 2) | IS 09079:89 |
| 26. | 7113452 | 96/09 | | Plugs and socket outlets of rated voltage up to and including 250 volts and rated current up to and including 16 amperes (second revision) (Amendments 3) | IS 01293:88 |
| 27. | 7114959 | 96/09 | Dynamix Dairy Industries Ltd. E-94, MIDC Bhigwan Road, Baramati Pune District | Skim milk powder: Part I Standard grade (Amendment 1) | IS 13334:92 Part 01 |
| 28. | 7114555 | 96/09 | Eleconic Condensers Pvt. Ltd. 254/255, Kundaim Indl. Estate Kundaim, Ponda Goa 403 110 | Shunt capacitors for power systems (second revision) (Amendments 4) | IS 02834:86 |

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| 29. | 7114252 | 96/09 | Krishna Filaments Ltd. F-277, Sinnar Industrial Area Nasik District | Polypropylene ropes (3-strand hawser-laid and 8-strand plaited) (second revision) | IS 05175:92 |
| 30. | 7114656 | 96/09 | Saw Pipes Ltd. Plot No. A-59/60 MIDC Malegaon Sinnar Nasik District 422 103 | Seamless or electrically welded steel pipes for water, gas and sewage (168.3 to 2032 mm outside diameter) second revision) (Amendment 1) | IS 03589:91 |
| 31. | 7113149 | 96/09 | Deepta Industries 103, Ashirwad Indl. Estate Building No. 3 Rammandir Road Goregaon (W) Bombay 400 104 | Ceiling roses (second revision) (Amendments 4) | IS 00371:79 |
| 32. | 7115456 | 96/09 | Lloyds Metals & Engineers Ltd. M-1 Addl. M.I.D.C. Kudavali Village Murbad Thane District | Hollow steel sections for structural use (first revision) | IS 04923:85 |
| 33. | 7113957 | 96/09 | Rapid Industries Mehta Industrial Estate Gala No. 52, 1st Floor Liberty Garden X Road No. 3 Malad (West) Bombay 400 064 | Plugs and socket outlets of rated voltage up to and including 250 volts and rated current up to and including 16 amperes (second revision) (Amendments 3) | IS 01293:88 |
| 34. | 7113553 | 96/09 | Raj Metal Industries Bharuch Compound No. 2 Gala No. 2 Musa Kilendra Street Clerk Road, Bombay | Burner for oil pressure stoves and oil pressure heaters (first revision) (Amendment 1) | IS 08808:86 |
| 35. | 7114151 | 96/09 | Hema Cements Pvt. Ltd. Plot No. 4 Survey No. 25 Village Vajadi Vad Ishwariya Road Tal Lodhika Dist. Rajkot 360003 | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 36. | 7114353 | 96/09 | Ruparel Plastics Pvt. Ltd. 66 Umania Vadar Maluva Distt. Bhavnagar 364290 | Polypropylene ropes (3-strand hawser-laid and 8-strand plaited) (second revision) | IS 05175:92 |
| 37. | 7115052 | 96/09 | Gujarat Agro Industries Corporation Ltd. Karanj Baug Near-Chest Disease Hospital National Highway No. 8 Naroda, Ahmedabad 380 025 | Malathion water dispersible powder concentrates (second revision) (with amendment No. 3) | IS 02569:78 |

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| 38. 7114757 | 96/09 | Tata Chemicals Ltd. Okhamandal Gujarat Mithapur Distt. Jamnagar 361345 | Masonry cement (second revision) (Amendment 1) | IS 03466:88 | |
| 39. 8162268 | 96/09 | Apha Appliances WZ-114C/1, Todapur New Delhi 110012 | Domestic gas stoves for use with liquefied petroleum gases (fourth revision) | IS 04246:92 | |
| 40. 8164575 | 96/09 | Bhan Electricals K-2/7, Gamari Road, West Ghonda, Delhi 110053 | Safety of household and similar electrical appliances: Part 2 Particular requirements, Sec. 3 Electric iron | IS 00302:92 Part 02 Sec 03 | |
| 41. 8162369 | 96/09 | Challenge Appliances 402, Vill. Mahipalpur New Gurgaon Road New Delhi 110037 | Domestic gas stoves for use with liquefied petroleum gases (fourth revision) | IS 04246:92 | |
| 42. 8161872 | 96/09 | Shri Giriraj Industries Cht. Bhikari Singh Bldg. 1st Floor Khasra No. 299, Gokulpur Village Delhi 110094 | Domestic gas stoves for use with liquefied petroleum gases (fourth revision) | IS 04246:92 | |
| 43. 8164676 | 96/09 | Havell's India Limited 6, Tilak Nagar Indl. Area, New Delhi 110018 | ac watt-hour meter, class 0.5, 1 and 2 (Amendments 1) | IS 13010:90 | |
| 44. 8164373 | 96/09 | Heatsun Industries Gali No. 3, Plot No. 4, (Railway Line Side), Anand Parbat Indl. Area, New Rohtak Road, New Delhi 110005 | Safety of household and similar electrical appliances: Part 2 Particular requirements, Sec 201 Electric immersion water heater | IS 00302:92 Part 02 Sec 201 | |
| 45. 8163977 | 96/09 | Nisha Cable Co. (P) Ltd. 7/86 B, Arjun Gali, Vishwas Nagar, Shahdara, Delhi 110032 | PVC Insulated cables for working voltages upto and including 1100V (third revision) (Amendment No. 1 to 4) | IS 00694:90 | |
| 46. 8162571 | 96/09 | R.K.S. Appliances (P) Ltd. B-18, Khazan Basti, Mayapuri, Phase II, New Delhi 110064 | Electric irons (fourth revision) | IS 00366:91 | |

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| 47. 8162470 | 96/07 | Sangam Enterprises WZ-161/19C, Khazan Basti Mayapuri New Delhi 110064 | Domestic gas stoves for use with liquefied petroleum gases (fourth revision) | IS 04246:92 | |
| 48. 8164171 | 96/09 | Sangeeta Electricals (India) 5/37 (C-57), Kanti Nagar, Near Plaza Marriage Home, Delhi | Electrical irons (fourth revision) | IS 00366:91 | |
| 49. 8163169 | 96/09 | Samrat Industries 573/3, Vill. Mandoli, Near Shiv Mandir, Nand Nagri Delhi 110093 | Domestic gas stoves for use with liquefied petroleum gases (fourth revision) | IS 04246:92 | |
| 50. 8164474 | 96/09 | S.M. Enterprises 19/181, Sarai Basti, Delhi 110035 | Single-phase small ac and universal electric motors (second revision) (Amendments 2) | IS 00996:79 | |
| 51. 8161165 | 96/09 | Shri Shiv Industries 9/18 & 19, Bazar Gali, Vishwas Nagar, Shahdara, Delhi 110032 | Shot firing cables (for use other than in shafts) (first revision) | IS 05950:84 | |
| 52. 8161266 | 96/09 | Swastik Wires Gali No. 8, Birbal Ka Ghera, Samaypur, Delhi 110042 | PVC insulated (heavy duty) electric cables: Part 1 For working voltages upto and including 1100 V (Third revision) | IS 01554:88 Part 01 | |
| 53. 8163270 | 96/09 | Windsor Cables (P) Ltd. 44, SSI, Industrial Area, G.T. Karnal Road, Delhi 110033 | PVC insulated (heavy duty) electric cables: Part 1 For working voltages upto and including 1100 V (Third revision) | IS 01554:88 Part 01 | |
| 54. 8161064 | 96/09 | Bhasin Turing & Punching Works 2892 Kucha Neelkanth Darya Ganj New Delhi 110002 | Safety of household and similar electrical appliances: Part 2 Particular requirements, Sec 3 Electric iron | IS 00302:92 Part 02 Sec 03 | |
| 55. 8160567 | 96/09 | Crown Sales A-23, Shiv Puri Extn. P.O. Krishna Nagar Delhi | Electric radiators (third revision) | IS 00369:92 | |
| 56. 8160668 | 96/09 | Crown Sales A-23, Shiv Puri Extn. P.O. Krishna Nagar Delhi | Safety of household and similar electrical appliances: Part 2 Particular requirements, Sec 30 Electric radiators (Amendment 1) | IS 00302:92 Part 02 Sec 30 | |

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| 57. | 8163573 | 96/09 | Duke Electrical Industries B-77, Okhla Industrial Area Phase-II New Delhi 110 020 | Stationary storage type electric water heaters (third revision) (Amendment 1) | IS 02082:93 |
| 58. | 8160870 | 96/09 | Daspass Sales Corporation 29/19, Lane No. 6 Industrial Estate New Rohtak Road Delhi 110005 | Mineral filled sheathed heating elements (second revision) (Amendments 6) | IS 04159:83 |
| 59. | 8163371 | 96/09 | Grandlay Electricals (India) 456/426, Military Parade Road Radio Colony Delhi 110009 | Crosslinked polyethylene insulated PVC sheathed cables: Part 1 For working voltage up to and including 1100 V (First revision) (Amendment 1) | IS 07098:88 Part 01 |
| 60. | 8163068 | 96/09 | Hauser Home Appliances B-11, Maujpur, Shahdara Delhi 110053 | Safety of household and similar electrical appliances: Part 2 Particular requirements, Sec. 3 Electric iron | IS 00302:92 Part 02 Sec 03 |
| 61. | 8160971 | 96/09 | Kas Electricals (India) Regd. 9/37, Shalimar Indl. Area Gali No. 2 Hyderpur Main Road Delhi 110052 | Bayonet lamp holders (Third revision) (Amendments 2) | IS 01258:87 |
| 62. | 8164070 | 96/09 | Miglani Electric Works 487/99, Vill. Peera Garhi (Near Champion Service Stn.) Delhi 110041 | Safety of household and similar electrical appliances: Part 2 Particular requirements, Sec 3 Electric iron | IS 00302:92 Part 02 Sec 03 |
| 63. | 8163472 | 96/09 | Prew Industries Ltd. 195/4, Nangli Shakrawati, Najafgarh Road, New Delhi 110043 | PVC insulated (heavy duty) electric cables: Part 1 For working voltages upto and including 1100 V (Third revision) | IS 01554:88 Part 01 |
| 64. | 8162672 | 96/09 | R.K.S. Appliances (P) Ltd. B-18, Khazan Basti, Mayapuri Phase II, New Delhi 110064 | Safety of household and similar electrical appliances: Part 2 Particular requirements, Sec 3 Electric iron | IS 00302-92 Part 02 Sec 03 |
| 65. | 8163876 | 96/09 | Shanti Electric Works N-62, Sham Nagar Khayala Road New Delhi 110018 | Safety of household and similar electrical appliances: Part 2 Particular requirements, Sec 201 Electric immersion water heater | IS 00302:92 Part 02 Sec 201 |

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| 66. | 8162975 | 96/09 | Seiko Electricals 408/5, AGI, Gali No. 30 Nai Basti Anand Parbat New Delhi 110005 | Safety of household and similar electrical appliances: Part 2 Particular requirements, Sec 201 Electric immersion water heater | IS 00302:92 Part 02 Sec 201 |
| 67. | 8164272 | 96/09 | Sangeeta Electricals (India) 5/37, (C-57), Kanti Nagar, Near Plaza Marriage Home, Delhi | Safety of household and similar electric appliances: Part 2 Particular requirements, Sec 3 Electric iron | IS 00302:92 Part 02 Sec 03 |
| 68. | 8161973 | 96/09 | Kwality Foundry Industries Ammaseoni Industrial Estate Raipur Raipur Raipur 492001 | Sand cast iron spigot and socket soil waste and ventilating pipes, fitting and accessories (first revision) (Amendments 3) | IS 01729:79 |
| 69. | 8161367 | 96/09 | Kakda Steels Pvt. Ltd. 54-A, Sector B Industrial Area Mandideep Raisen Mandideep | Carbon steel cast billet ingots, billets, blooms and slabs for re-rolling into steel for general structural purposes (second revision) | IS 02830:92 |
| 70. | 8162066 | 96/09 | Sans Engineering Industries 11-B Laxmibai Nagar Fort Industrial Estate Indore Indore 452006 | Door closers (hydraulically regulated) (second revision) (Amendment 1) | IS 03564:86 |
| 71. | 8160769 | 96/09 | Vindhya Cements Pvt. Ltd. Village Tighra Supantha Post Devendra Nagar Panna Panna | 33 Grade ordinary portland cement (forth revision) (Amnedments 3) | IS 00269:89 |
| 72. | 8161468 | 96/09 | Agro Paints Pvt. Ltd. A-115-A, Industrial Area Alwar Bhiwadi 301019 | Cement paint (first revision) (Amendment 1) | IS 05410:92 |
| 73. | 8163674 | 96/09 | Blade (India) F-943, Road No. 14 Vishwakarma Industrial Area Jaipur Jaipur 302013 | High density polyethylene pipes for potable water supplies: sewage and industrial effluents (third revision) | IS 04984:87 |
| 74. | 8163775 | 96/09 | Saurabh Industries G-7, Riico Industrial Area Ajmer Bijaynagar 305624 | Aluminium conductors for overhead transmission purposes: Part 2 Aluminium conductors, galvanized steel reinforced (second revision) (Amendment 3) | IS 00398:76 Part 02 |

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| 75. | 8165173 | 96/09 | Bhagirath Cements (P) Ltd. F-10, 11 & 12 Industrial Area Sikar 332001 | 43 grade ordinary Portland Cement (first revision) (Amendments 3) | IS 08112:89 |
| 76. | 8162874 | 96/09 | Dees Pistons Pvt. Ltd. A-407A, Road No. 14 V.K.I. Area Jaipur | Extra deepwell handpumps (Amendment 1) | IS 13287:87 |
| 77. | 8164979 | 96/09 | Gauri Cements (P) Ltd. A-17, Riico Indl. Area Behror (Distt. Alwar) 301701 | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 78. | 8165072 | 96/09 | Lakshmi Cement P.O. Sirohi Road 307 021 Jay Kay Puram Sirohi Sirohi | 53 grade ordinary Portland cement (Amendments 3) | IS 12269:87 |
| 79. | 8162167 | 96/09 | Siddha Cements (P) Ltd. F-55-56-57 GI-101-102-103 Riico Indl. Area Behror 301701 | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 80. | 8164777 | 96/09 | Suman Cements Pvt. Ltd. Biramsar Tehsil : Ratangarh Ratangarh | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 81. | 9121360 | 96/09 | Aggarwal Mineral Grinding Industries (Cement Unit) PO Nizampur Distt. Mohindergarh Nizampur (Haryana) | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 82. | 9121461 | 96/09 | Markanda Cements (P) Ltd. Vill. Sadikpura, (Near Sadhura) Distt. Yamunanagar Sadikpura (Haryana) 133004 | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 83. | 9121562 | 96/09 | Navin Steel Industries G.T. Road, Mohtli Teh. Nurpur, Distt. Kangra Mohtli (HP) | Steel wire ropes for general engineering purposes (Third revision) (Amendment No. 1) | IS 02266:89 |
| 84. | 9121259 | 96/09 | Phantom Industries 134, Amar Garden Preet Nagar Jalandhar City (Punjab) | Malleable cast iron pipe fittings (second revision) (Amendment Nos. 3) | IS 01879:87 |

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| 85. | 9121764 | 96/09 | Santosh Structrals & Alloys Ltd. G.T. Road Aldur Khanna (Punjab) | High strength deformed steel bars and wires for concrete reinforcement (Third revision) (superseding IS:1139-1966) (Amendment No. 1) | IS 01786:85 |
| 86. | 9121158 | 96/09 | U.E. Enterprises D-86, Focal Point Ext. Jalandhar | Malleable cast iron pipe fittings (second revision) (Amendment Nos. 3) | IS 01879:87 |
| 87. | 9120863 | 96/09 | Shaktiman Cedments (P) Ltd. Vill : Rajpur, Bilaspur Road 3.6 km. Stone from Sandhaura Yamuna Nagar | 53 grade ordinary Portland cement (Amendments 3) | IS 12269:87 |
| 88. | 9121865 | 96/09 | Santosh Structrals & Alloys Ltd. G.T. Road Alour Khanna (Punjab) | Steel for general structural purposes (Fourth revision) (Supersedes IS 225:1975) (Amendment No. 1) | IS 02062:92 |
| 89. | 9120661 | 96/09 | | Flexible packs for the packing of Vanaspati (Amendments 3) | IS 11352:85 |
| 90. | 9119979 | 96/09 | Deep Cement (P) Ltd. Rithara Road Village Naushera Shikohabad Distt. Firozabad | 43 grade ordinary Portland cement (first revision) (Amendments 3) | IS 08112:89 |
| 91. | 9120459 | 96/09 | Chemicals & Insecticides Ramnagar, Karanjaha Rly. Stn. Kusmi, Gorakhpur | Malathion water dispersible powder concentrates (second revision) (with amendment No. 3) | IS 02569-78 |
| 92. | 9121057 | 96/09 | Reliable Electronics D-1/4 Sanjay Colony Sector-24 Faridabad Faridabad | Minrcal filled sheathed heating elements (second revision) (Amendments 6) | IS 04159:83 |
| 93. | 9093987 | 96/09 | S. Pal Enterprises 378-379, Phase IV Udyog Vihar Gurgaon 122015 | PVC Insulated cables for working voltages upto and including 1100V (third revision) (Amendment No. 1 to 4) | IS 00694:90 |

[No. CMD/13:11/

J. VENKATARAMAN, Addl. Director General

कोयला मंत्रालय

शुद्धि पत्र

नई दिल्ली, 18 मई, 1999

का.आ. 1604:—भारत के राजपत्र भाग II, खंड-3, उपखंड (ii) में तारीख 23 जनवरी, 1999 के पृष्ठ क्रमांक 510 से 514 पर प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना का.आ. 223 तारीख 07 जनवरी, 1999 में

पृष्ठ क्रमांक 510 पर

अधिसूचना में

- (1) प्रथम परीच्छेद के चौथी पंक्ति में —
पृष्ठ "1743 से 1945" के स्थान पर "1743 से 1748" पढ़िए।
- (2) परीच्छेद (क) में—
"10853 एकड़" के स्थान पर "10.853 एकड़" पढ़िए।
- (3) यह घोषणा करती है कि परीच्छेद (क) में—
"10.953 एकड़" के स्थान पर "10.853 एकड़" पढ़िए।
- (4) 9 वें परीच्छेद के पहली पंक्ति में —
"रेखांक" संख्यांक सी-1 (बी) iii/जी आर/634-0997" के स्थान पर "रेखांक संख्यांक" सी-I (ई) III/जीआर/634-0997" पढ़िए।

अनुसूची "क" में

- (1) "पंच क्षेत्र" के स्थान पर "पेंच क्षेत्र" पढ़िए।
- (2) "कुल क्षेत्र 10853 एकड़" के स्थान पर "10.853 एकड़" पढ़िए।

पृष्ठ क्रमांक 511 पर

अनुसूची "ख" में —

- (1) "पंच क्षेत्र" के स्थान पर "पेंच क्षेत्र" पढ़िए।
- (2) वन का पार्टमेंट सं. स्तम्भ में
"वन का पार्टमेंट सं." के स्थान पर "वन कम्पाटमेंट सं." पढ़िए।
- (3) ग्राम नेहरिया में अर्जित किये जाने वाले प्लॉट संख्यांक में —
"ग्राम नेहरिया में अर्जित किये जाने वाले प्लॉट संख्यांक" के स्थान पर "ग्राम नेहरिया में अर्जित किये गये प्लॉट संख्यांक" पढ़िए। तथा "185 भाग" के स्थान पर "185" पढ़िए। "182/2" के स्थान पर "187/2" पढ़िए।
- (4) "नेहरिया सरकारी वन (परासिया रेंज) में अर्जित किये जाने वाले कम्पाटमेंट सं. 740" के स्थान पर "नेहरिया सरकारी वन (परासिया रेंज) में अर्जित किये गये कम्पाटमेंट सं. 740 भाग" पढ़िए।

पृष्ठ क्रमांक 512 पर —

सीमा वर्णन में —

- (1) "रेखा ड-च-क" में —
दूसरी पंक्ति में — "प्लॉट सं. /3" के स्थान पर "प्लॉट सं. 187/3" पढ़िए।
तीसरी पंक्ति में — "प्लॉट सं. 20" के स्थान पर "प्लॉट सं. 200" पढ़िए।
चौथी पंक्ति में — "तब केवल प्लॉट सं. 86 को" के स्थान पर "प्लॉट सं. 86 में" पढ़िए।
पाचवीं पंक्ति में — "भागत: पार करती है और भागत: प्लॉट सं. 89 से होकर" के स्थान पर "तब भागत: प्लॉट सं. 89 की बाह्य सीमा के साथ तथा भागत: प्लॉट सं. 89 से होकर" पढ़िए।

[सं. 42015/18/95-एल.एस. डब्ल्यू./पी.आर.आई.
डब्ल्यू.)

के. एस. क्रोफा, निदेशक

MINISTRY OF COAL

CORRIGENDUM

New Delhi, the 18th May, 1999

S.O. 1604.—In the notification of the Government of India in the Ministry of Coal number S.O. 223, dated the 7th January, 1999, published at pages 510 to 514 in Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 23rd January, 1999,— at page 514,—

- (a) under the heading plot numbers acquired in village Neheria, in line 5, for "122,2", read "122|2";
- (b) under the heading 'Boundary description', for "E-F1A" read "E-F-A".

[No. 43015/18/95-LSW|PRIW]
K. S. KROPHA, Director

शुद्धि पत्र

नई दिल्ली, 20 मई, 1999

का.आ. 1605:—भारत के राजपत्र, तारीख 10 अप्रैल, 1999 के भाग 2, खंड 3, उपखंड (ii) में पृष्ठ क्रमांक 2121 से 2122 पर प्रकाशित, भारत सरकार कोयला मंत्रालय की अधिसूचना का.आ. 928 तारीख 23 मार्च 1999 में:—
पृष्ठ क्रमांक 2121, अधिसूचना में,

पंक्ति 20, "आयुक्त, सरगुजा" के स्थान पर "क्लेक्टर, सरगुजा" पढ़ें।

तालिका में, ग्राम का नाम स्तम्भ के नीचे,

क्रम सं. 1, "बिसाही" के स्थान पर "बिसाही" पढ़ें और जहां कहीं भी "बिसाही" शब्द प्रयुक्त हुआ जो उसके स्थान पर "बिसाही" पढ़ें।

“कुल : 193.401 (लगभग)” के स्थान पर “कुल : 193.451 हेक्टर (लगभग)” पढ़ें।

ग्राम बिसाही (भाग) में अर्जित किए गए प्लॉट संख्यांक में,

पंक्ति 2, “363 (भाग) 364 (भाग)” के स्थान पर “363 (भाग), 364” पढ़ें।

पृष्ठ क्रमांक-2122, ग्राम कपसरा (भाग) में अर्जित किए गए प्लॉट संख्यांक में,

पंक्ति 6, “126 (भाग), 498 (भाग)” के स्थान पर “426 (भाग) 498 (भाग)” पढ़ें।

[फा. सं. 43015/6/96-एलएसडब्ल्यू/पी.आर.आई.डब्ल्यू.]
के. एस. क्रोफा, निदेशक

शुद्धि पत्र

नई दिल्ली, 20 मई, 1999

का.आ. 1606:—भारत के राजपत्र भाग-II, खंड-3, उपखंड (ii) में तारीख 1 अप्रैल, 1999 के पृष्ठ क्रमांक 1 से 3 पर प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना का.आ. 211 (अ) तारीख 1 अप्रैल, 1999 में—

पृष्ठ क्रमांक 1 पर

“जिला राबतमाल” के स्थान पर “जिला यबतमाल” पढ़िये।

पृष्ठ क्रमांक 2 पर

सीमा वर्णन में—

1. रेखा घ-अ- में—

“पेणगंगा नदी” के स्थान पर “पैनगंगा नदी” पढ़िए।

2. रेखा ड-ख में —

“वरामदोह” के स्थान पर “परामदोह” पढ़िए तथा “ऐनक” के स्थान पर “येनक” पढ़िए।

[सं. 43015/18/96-एलएस डब्ल्यू/पी. आर.आई.डब्ल्यू.]
के. एस. क्रोफा, निदेशक

शुद्धिपत्र

नई दिल्ली, 21 मई, 1999

का.आ. 1607:—भारत के राजपत्र भाग-II, खंड-3, उपखंड (ii) में तारीख 11 जुलाई, 1998 के पृष्ठ क्रमांक 2454 से 2455 पर प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना का.आ. 1359 तारीख 30 जून, 1998 में —

पृष्ठ क्रमांक 2454 पर

अनुसूची के तहसील स्तम्भ में

1. ‘कम्पटी’ के स्थान पर ‘कामठी’ पढ़िए।

2. ‘सोनर’ के स्थान पर ‘सावनेर’ पढ़िए।

सीमा वर्णन में—

रेखा क-ख में—

1. ‘केनहन’ के स्थान पर ‘कन्हान’ पढ़िए, और जहां कहीं यह शब्द प्रयुक्त हुआ हो उस स्थान पर ‘कन्हान’ पढ़िए।

[सं. 43015/2/98-पी.आर.आई.डब्ल्यू.]

के. एस. क्रोफा, निदेशक

New Delhi, the 21st May, 1999

CORRIGENDUM

S.O. 1607.—In the notification of the Government of India in the Ministry of Coal number S.O. 1359, dated the 30th June, 1998, published at pages 2454 to 2455 of the Gazette of India, Part-II, Section-3, Sub-section (ii), dated the 11th July, 1998,—

at page 2455,—

in the Schedule, in column “Tahsil”, in serial number 1, for “Kamtee” read “Kamptee”.

[No. 43015/2/98-PRIW]

K. S. KROPHA, Director

शुद्धि पत्र

नई दिल्ली, 27 मई, 1999

का.आ. 1608:—भारत के राजपत्र, भाग II, खण्ड 3, उपखण्ड (ii) में तारीख 26-9-1998 के पृष्ठ क्रमांक 3670 से 3676 पर प्रकाशित भारत सरकार के कोयला मंत्रालय की अधिसूचना का. आ. 1901, तारीख 18.9.1999 में :—

पृष्ठ क्रमांक 3671 पर

अनुसूची “क” में—

1. जूनी कामठी में अर्जित किए जाने वाले प्लॉट सं. में “2/ए1-2/ए-2ए/3” के स्थान पर “2ए/1-2/ए2-2/ए3” पढ़िये

पृष्ठ क्रमांक 3673 पर

अनुसूची ख में—

1. “कुल 8.12 हेक्टर (लगभग) या 25.06 एकड़ (लगभग) के स्थान पर “कुल 8.12 हेक्टर (लगभग) या 20.06 एकड़ (लगभग)” पढ़िए —

[सं. 43015/8/96-एल.डब्ल्यू/पी.आर.आई.डब्ल्यू.]
के.एस. क्रोफा, निदेशक

CORRIGENDUM

New Delhi the 27th May, 1999

S.O. 1608.—In the notification of the Government of India in the Ministry of Coal number S.O. 1901, dated the 18th September, 1998, published in pages 3674 to

3674 to 3676 in Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 26th September, 1998,—

(1) at page 3675,—

(a) under the heading “Boundary description”,

(i) against sub-heading “B-C”,

(A) in line 1, for “ine pass”, read “line passes”;

(B) in line 2 and 3, for “common villa boundary of villages”, read “common village boundary of villages”;

(ii) against sub-heading “E-F”, in line 1, for “plot number 43”, read “plot number 53”;

(b) in Schedule ‘A1’, under the heading ‘All Rights’,

(i) in column 2, for “Name of village”, read “Name of village”;

(ii) against serial number 1, in column 2, for “Ghatrohana”, read “Ghatrohana”;

(2) at page 3676,—

under the heading “Bombay description”, against sub-heading “G-J”, in line 1, for “the eastern bank of Kanhan River”, read “the eastern bank of Kanhan River”.

[F. No. 43015/8/96-LW/PRIW]

K. S. KROPHA, Director

कोयला मंत्रालय

नई दिल्ली, 25 मई, 1999

का०आ० 1609.—केन्द्रीय सरकार को यह प्रतीत होता है कि इसमें उपाबद्ध अनुसूची में उल्लिखित भूमि में कोयला अभिप्राप्त किए जाने की सम्भावना है;

अतः, अब, केन्द्रीय सरकार कोयला धारक क्षेत्र (अर्जन और विकास) अधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उस क्षेत्र में कोयले का पूर्वेक्षण करने के अपने आशय की सूचना देती है।

इस अधिसूचना के अन्तर्गत आने वाले क्षेत्र के रेखांक सं० एस०ई०सी०एल०/बी०एस०पी०/जी०एम० (पी०एल०जी०)/भूमि/218, तारीख 10 सितम्बर, 1998 का निरीक्षण साउथ ईस्टर्न कोलफील्ड्स लिमिटेड, राजस्व अनुभाग, सीपत रोड, बिलासपुर-495 006 के कार्यालय में या कलेक्टर, बिलासपुर (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, कार्टेसिल हाउस स्ट्रीट, कलकत्ता के कार्यालय में किया जा सकता है।

इस अधिसूचना के अन्तर्गत आने वाली भूमि में हितवद्ध सभी व्यक्ति उक्त अधिनियम की धारा 13 की उपधारा (7) में निर्दिष्ट सभी नक्शों, चार्टों और अन्य दस्तावेजों को इस अधिसूचना के प्रकाशन की तारीख से नब्बे दिन के भीतर भार साधक अधिकारी/विभागाध्यक्ष (राजस्व), साउथ ईस्टर्न कोलफील्ड्स लि०, सीपत रोड, बिलासपुर—495 006 (मध्य प्रदेश) को भेजेंगे।

अनुसूची

डेलवाडीह दूसरा विस्तार खण्ड

कोरवा कोलफील्ड्स

जिला बिलासपुर (मध्य प्रदेश)

(रेखांक सं० : एस०ई०सी०एल०/बी०एस०पी०/जी०एम० (पी०एल०जी०)/

भूमि/218 तारीख 10 सितम्बर, 1998)

(पूर्वेक्षण के लिए अधिसूचित भूमि दर्शाते हुए)

क्लास “क”

| क्रम सं० | गांव का नाम | पटवारी हल्का सं० | तहसील | जिला | क्षेत्र हेक्टर में | टिप्पणी |
|----------|-------------|------------------|--------|----------|------------------------|---------|
| 1. | अमयपुर | 41 | कटघोरा | बिलासपुर | 17.560 | भाग |
| 2. | डेलवाडीह | 42 | कटघोरा | बिलासपुर | 28.834 | भाग |
| कुल | | | | | 46.394 हेक्टेयर (लगभग) | |

सीमा वर्णन

क—ख रेखा ग्राम डेलवाडीह में बिन्दु “क” से आरम्भ होती है और डेलवाडीह, अभयपुर ग्राम से होकर जाती है और बिन्दु “ख” पर मिलती है ।

ख—क रेखा अभयपुर, डेलवाडीह ग्रामों से होकर जाती है और आरम्भिक बिन्दु “क” पर मिलती है ।

क्लाक “ख”

| क्रम सं० | गाव का नाम | पटवारी हल्का सं० | तहसील | जिला | क्षेत्र हेक्टेयर में | ट्रिपणी |
|----------|------------|------------------|--------|----------|--|---------|
| 1. | डेलवाडीह | 42 | कटघोरा | बिलासपुर | 9.883 | भाग |
| 2. | ढबढब | 42 | कटघोरा | बिलासपुर | 24.112 | भाग |
| 3. | अरदा | 48 | कटघोरा | बिलासपुर | 7.495 | भाग |
| कुल | | | | | 41.490 हेक्टेयर (लगभग) | |
| कुल योग | | | | | 87.884 हेक्टेयर (लगभग) या 217.16 हेक्टेयर (लगभग) | |

सीमा वर्णन

ग—घ रेखा ग्राम डेलवाडीह में बिन्दु “ग” से आरम्भ होती है और डेलवाडीह, ढबढब, अरदा ग्रामों से होकर जाती है और बिन्दु “घ” पर मिलती है ।

घ—ग रेखा, अरदा, ढबढब, डेलवाडीह ग्रामों से होकर जाती है और आरम्भिक बिन्दु “ग” पर मिलती है ।

[फा० सं० 43015/21/98-पी०आर०आई०डब्ल्यू०

के० एस० क्रोफा, निदेशक

MINISTRY OF COAL

New Delhi, the 25th May, 1999

S.O.1609.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed:

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government gives notice of its intention to prospect for coal therein;

The plan bearing Number SECL/BSP/GM(Plg)/land/218, dated the 10th September, 1998, of the area covered by this notification can be inspected in the office of the South Eastern Coalfields Limited, Revenue Section, Seepat Road, Bilaspur-495006 (Madhya Pradesh) or in the Office of the Collector, Bilaspur (Madhya Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Calcutta.

All persons interested in the lands covered by this notification shall deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer-in-charge/Head of the Department (Revenue), South Eastern Coalfields Limited, Seepat Road, Bilaspur-495006 (Madhya Pradesh) within ninety days from the date of the publication of this notification in the Official Gazette.

SCHEDULE

**DHELWADIH 2ND EXTENSION BLOCK
KORBA COALFIELDS
DISTRICT : BILASPUR (MADHYA PRADESH)**

(Plan No. : SECL/BSP/GM(Plg)/Land/218 dated the 10th September, 1998)
(showing land notified for prospecting)

BLOCK 'A'

| Serial number | Name of village | Patwari halka number | Tahsil | District | Area in hectares | Remarks |
|---|-----------------|----------------------|----------|----------|------------------|---------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| 1. | Abhaipur | 41 | Katghora | Bilaspur | 17.560 | Part |
| 2. | Dhelwadiah | 42 | Katghora | Bilaspur | 28.834 | Part |
| Total : 46.394 hectares (approximately) | | | | | | |

Boundary Description

- A—B** Line starts from point "A" in village Dhelwadiah and passes through villages Dhelwadiah, Abhaipur and meets at point 'B'.
- B—A** Line passes through villages Abhaipur, Dhelwadiah and meets at the starting Point 'A'.

SCHEDULE CONTINUED

BLOCK 'B'

| Serial Number | Name of Village | Patwari Halka Number | Tahsil | District | Area in hectares | Remarks |
|---------------|-----------------|----------------------|----------|----------|------------------|---------|
| 1. | Dhelwadiah | 42 | Katghora | Bilaspur | 9.883 | Part |
| 2. | Dhabdhab | 42 | Katghora | Bilaspur | 24.112 | Part |
| 3. | Arda | 48 | Katghora | Bilaspur | 7.495 | Part |

Total : 41.490 hectares (approximately)

GRAND TOTAL : 87.884 hectares (approximately) OR
217.16 acres (approximately)

Boundary description

- C—D** Line starts from point 'C' in village Dhelwadiah and passes through villages Dhelwadiah, Dhabdhab, Arda and meets at point 'D'.
- D—C** Line passes through village Arda, Dhabdhab, Dhelwadiah and meets at the starting point at 'C'.

[No. 43015/21/98-PRIW]
K.S.KROPHA, Director

पर्यावरण एवं वन मंत्रालय

नई दिल्ली, 20 मई, 1999

का.भा. 1610 :— केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में पर्यावरण एवं वन मंत्रालय के अधीन क्षेत्रीय कार्यालय (मध्य क्षेत्र) बी-1/72, सेक्टर "के", अलीगंज, लखनऊ, जिसके 80 प्रतिशत कर्मचारी बृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को अधिसूचित करती है।

[सं.ई-11011/31/88 रा.भा. (का.)]
बलदेव राज, निदेशक (रा.भा.)

1608 GI/99—7

MINISTRY OF ENVIRONMENT & FORESTS

New Delhi, the 20th May, 1999

S.O. 1610.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (use for official purpose of the union) Rule, 1976, the Central Government hereby notifies the office of Regional Office (Central Region) B-1/72, Sector 'K' Aliganj, Lucknow under the administrative control of the Ministry of Environment & Forests, the 80% staff whereof have acquired a working knowledge of Hindi.

[No. E-11011/31/88-OL(I)]
BALDEV RAJ, Director (O.L.)]

इस्पात और खान मंत्रालय

(इस्पात विभाग)

नई दिल्ली, 26 मई, 1999

का०आ०.1611.—सरकारी स्थान (अप्राधिकृत अधिभोगियों की बेदखली) अधिनियम 1971 (1971 का 40) की धारा 20 के साथ पठित धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ऐसे अधिक्रमण के संबंध में इस प्रकार के किए गए कार्यों अथवा पूर्व में किए जाने वाले लोप के सिवाय नीचे दी गई सारणी के स्तंभ (1) में वर्णित अधिकारी को, जो भारत सरकार के राजपत्रित अधिकारी के पद के समतुल्य अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिए संपदा अधिकारी नियुक्त करती है और उक्त सारणी के स्तंभ (2) में विनिर्दिष्ट सरकारी स्थानों की श्रेणियों के बारे में अपने अधिकारों को स्थानीय सीमाओं के अन्तर्गत उक्त अधिनियम द्वारा या उसके अधीन संपदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कर्तव्यों का पालन करने का निदेश देती है।

सारणी

| अधिकारी का पदनाम | सरकारी स्थानों के वर्ग और अधिकारिता की स्थानीय सीमाएं |
|---|---|
| प्रबंधक (प्रशा०) स्टील अथॉरिटी ऑफ इंडिया लि०, लोदी रोड, नई दिल्ली | राष्ट्रीय राजधानी क्षेत्र दिल्ली में स्थित स्टील अथॉरिटी ऑफ इंडिया लि० से संबंधित और इसके प्रशासनिक नियंत्रणाधीन सभी परिसर। गाजियाबाद (उत्तर प्रदेश) जिले में स्थित स्टील अथॉरिटी ऑफ इंडिया लिमिटेड से संबंधित और इसके प्रशासनिक नियंत्रणाधीन सभी परिसर। |

[फा० सं० 2(18)/92-सेल-I]

जयश्री मुखर्जी, उप सचि

MINISTRY OF STEEL AND MINES

(Department of Steel)

New Delhi, the 26th May, 1999

S.O.1611.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being officer equivalent to the rank of a Gazetted Officer of the Government to be Estate Officer for the purposes of the said Act and further directs that the said officer shall exercise the powers conferred, and perform the duties imposed, on Estate Officer by or under the said Act, within the local limits of his respective jurisdiction, in respect of the categories of public premises specified in column (2) of the said Table.

TABLE

| Designation of Officer | Categories of Public Premises and local limits of jurisdictions |
|---|---|
| (1) | (2) |
| Manager (Admn.) Steel Authority of India Limited, Ispat Bhawan, Lodi Road, New Delhi. | All premises belonging to and under the administrative control of the Steel Authority of India Limited located in the National Capital Territory of Delhi. All premises belonging to and under the administrative control of the Steel Authority of India Limited and situated in District of Ghaziabad (Uttar Pradesh). |

[F. No. 2(18)/92-SAIL-I]

JAYSHREE MUKHERJEE, Dy. Secy.

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 2 जून, 1999

का. आ. 1612.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाईप-लाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 387 तारीख 06.02.99, द्वारा मोटर स्प्रीट, उच्च कोटि किरोसिन तेल और उच्च वर्ग डीजल के भारत पेट्रोलियम कारपोरेशन लिमिटेड की परिष्कारणी से तमिलनाडु राज्य के कोचीन से करूर तक परिवहन के लिए पेट्रोनेट सी.सी.के. लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजनार्थ उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकारों के अर्जन के अपने आशय की घोषणा की थी ;

और उक्त राजपत्रित अधिसूचना की प्रतियां जनता को क्रमशः तारीख 24.02.99 से 04.03.99 तक उपलब्ध करा दी गई थी ;

और उक्त अधिनियम की धारा 6 की उपधारा (1) के अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को रिपोर्ट दे दी है ;

और केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए ;

अतः, अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार अर्जित करने की घोषणा करती है ;

यह और कि केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लगनों से मुक्त होकर पेट्रोनेट सी. सी. के. लिमिटेड।

अनुसूची

तालुका — करूर

जिला — करूर

राज्य — तमिलनाडु

गाँव का नाम सर्वेक्षण स०

क्षेत्र

हेक्टेयर

आरे

वर्ग मीटर

| 1 | 2 | 3 | 4 | 5 |
|-----------|--------|---|----|----|
| काठापाराई | 364 | 0 | 06 | 50 |
| | 363-21 | 0 | 00 | 01 |
| | 363-20 | 0 | 00 | 78 |
| | 363-19 | 0 | 04 | 11 |
| | 363-17 | 0 | 01 | 62 |
| | 363-16 | 0 | 02 | 45 |
| | 363-15 | 0 | 01 | 76 |
| | 363-14 | 0 | 02 | 15 |
| | 362-21 | 0 | 01 | 80 |
| | 362-20 | 0 | 01 | 01 |
| | 362-19 | 0 | 00 | 04 |
| | 362-26 | 0 | 00 | 52 |
| | 362-27 | 0 | 01 | 02 |
| | 362-28 | 0 | 01 | 48 |
| | 362-29 | 0 | 03 | 06 |
| | 362-30 | 0 | 01 | 59 |
| | 362-31 | 0 | 01 | 87 |
| | 374-10 | 0 | 04 | 48 |
| | 374-11 | 0 | 04 | 07 |
| | 374-9 | 0 | 02 | 10 |
| | 374-5 | 0 | 01 | 89 |
| | 374-1 | 0 | 05 | 85 |

| 1 | 2 | 3 | 4 | 5 |
|------|---------|---|----|----|
| आधुर | 706-02 | 0 | 16 | 11 |
| | 706-01 | 0 | 14 | 52 |
| | 710-02 | 0 | 07 | 24 |
| | 710-03 | 0 | 06 | 06 |
| | 710-06 | 0 | 13 | 01 |
| | 712-08 | 0 | 00 | 99 |
| | 712-06 | 0 | 05 | 22 |
| | 712-05 | 0 | 05 | 44 |
| | 712-04 | 0 | 05 | 40 |
| | 712-01 | 0 | 05 | 67 |
| | 715-04 | 0 | 07 | 61 |
| | 715-03 | 0 | 07 | 43 |
| | 715-02 | 0 | 09 | 16 |
| | 715-01 | 0 | 09 | 73 |
| | 718-2A | 0 | 15 | 12 |
| | 719-02 | 0 | 17 | 77 |
| | 790-A1A | 0 | 12 | 54 |
| | 777-B1 | 0 | 28 | 34 |
| | 779-16 | 0 | 05 | 47 |
| | 779-08 | 0 | 04 | 18 |
| | 779-05 | 0 | 01 | 90 |
| | 779-06 | 0 | 00 | 63 |
| | 779-07 | 0 | 01 | 11 |
| | 779-11 | 0 | 01 | 23 |
| | 779-10 | 0 | 03 | 71 |
| | 779-09 | 0 | 01 | 68 |
| | 779-02 | 0 | 08 | 44 |
| | 782-05 | 0 | 03 | 45 |
| | 782-04 | 0 | 03 | 58 |
| | 782-03 | 0 | 08 | 23 |
| | 782-02 | 0 | 04 | 28 |
| | 782-01 | 0 | 11 | 21 |
| | 837-06 | 0 | 00 | 88 |
| | 837-05 | 0 | 00 | 12 |
| | 840-11 | 0 | 05 | 92 |
| | 840-10 | 0 | 06 | 60 |
| | 840-05 | 0 | 04 | 49 |
| | 840-04 | 0 | 03 | 87 |
| | 840-03 | 0 | 04 | 20 |
| | 840-02 | 0 | 07 | 25 |
| | 840-01 | 0 | 10 | 15 |

| 1 | 2 | 3 | 4 | 5 |
|------|---------|---|----|----|
| आधुर | 839-05 | 0 | 01 | 40 |
| | 839-02 | 0 | 12 | 21 |
| | 839-01 | 0 | 10 | 19 |
| | 846-02 | 0 | 04 | 84 |
| | 1109-11 | 0 | 08 | 72 |
| | 1109-08 | 0 | 07 | 20 |
| | 1109-07 | 0 | 14 | 50 |
| | 1109-06 | 0 | 05 | 85 |
| | 1109-05 | 0 | 04 | 79 |
| | 1109-04 | 0 | 06 | 19 |
| | 1109-01 | 0 | 05 | 90 |
| | 1106-A2 | 0 | 17 | 78 |
| | 1106-A1 | 0 | 05 | 25 |
| | 1106-B7 | 0 | 09 | 96 |
| | 1101-22 | 0 | 02 | 64 |
| | 1101-21 | 0 | 01 | 69 |
| | 1101-20 | 0 | 00 | 62 |
| | 1101-18 | 0 | 00 | 14 |
| | 1101-19 | 0 | 06 | 99 |
| | 1101-16 | 0 | 01 | 06 |
| | 1101-13 | 0 | 00 | 73 |
| | 1101-14 | 0 | 01 | 22 |
| | 1101-15 | 0 | 01 | 22 |
| | 1102-33 | 0 | 00 | 49 |
| | 1101-12 | 0 | 00 | 49 |
| | 1102-27 | 0 | 04 | 43 |
| | 1102-25 | 0 | 02 | 99 |
| | 1102-24 | 0 | 02 | 39 |
| | 1102-18 | 0 | 00 | 18 |
| | 1102-19 | 0 | 04 | 23 |
| | 1102-08 | 0 | 03 | 12 |
| | 1102-17 | 0 | 01 | 60 |
| | 1102-10 | 0 | 03 | 87 |
| | 1102-09 | 0 | 04 | 86 |
| | 1102-06 | 0 | 01 | 91 |
| | 1143-02 | 0 | 17 | 56 |
| | 1143-01 | 0 | 10 | 93 |
| | 1144-B3 | 0 | 02 | 91 |
| | 1156 | 0 | 44 | 69 |

अनुसूची

तालुका — आरावकुरुची

जिला — करूर

राज्य — तमिलनाडु

गोव का नाम सर्वेक्षण सं०

क्षेत्र

| | २ | हेक्टेयर ३ | वर्ग मीटर ४ | आरे ५ |
|--------|---------|---------------|----------------|----------|
| पुल्लम | 1254-07 | 0 | 00 | 34 |
| | 1254-06 | 0 | 02 | 33 |
| | 1253 | 0 | 24 | 13 |
| | 1252-02 | 0 | 03 | 74 |
| | 1249-02 | 0 | 09 | 61 |
| | 1230-02 | 0 | 21 | 11 |
| | 1230-01 | 0 | 04 | 46 |
| | 1232-01 | 0 | 22 | 84 |
| | 1237 | 0 | 01 | 86 |
| | 1233-01 | 0 | 05 | 53 |
| | 1233-06 | 0 | 08 | 36 |
| | 1233-05 | 0 | 00 | 35 |
| | 1233-02 | 0 | 06 | 62 |
| | 1234-03 | 0 | 21 | 31 |
| | 1234-04 | 0 | 01 | 19 |
| | 1197-02 | 0 | 02 | 96 |
| | 1197-03 | 0 | 15 | 34 |
| | 1197-04 | 0 | 07 | 31 |
| | 1197-08 | 0 | 93 | 25 |
| | 1197-09 | 0 | 05 | 94 |
| | 1197-10 | 0 | 03 | 66 |
| | 1197-11 | 0 | 04 | 01 |
| | 1197-12 | 0 | 11 | 25 |
| | 1196-02 | 0 | 20 | 38 |
| | 1195-02 | 0 | 15 | 05 |
| | 1090 | 0 | 50 | 43 |
| | 1101 | 0 | 25 | 19 |

| 1 | 2 | 3 | 4 | 5 |
|--------|---------|---|----|----|
| पुल्लम | 1102 | 0 | 11 | 67 |
| | 1104-02 | 0 | 43 | 75 |
| | 1042-01 | 0 | 45 | 14 |
| | 1036-1A | 0 | 03 | 41 |
| | 1040-04 | 0 | 00 | 11 |
| | 1037 | 0 | 32 | 14 |
| | 1038 | 0 | 21 | 12 |
| | 1023 | 0 | 04 | 97 |
| | 1024-02 | 0 | 20 | 98 |
| | 857-14 | 0 | 00 | 32 |
| | 857-15 | 0 | 04 | 48 |
| | 857-12 | 0 | 03 | 86 |
| | 857-11 | 0 | 01 | 38 |
| | 858-C2 | 0 | 01 | 04 |
| | 858-A1 | 0 | 07 | 47 |
| | 858-A2 | 0 | 02 | 77 |
| | 858-A3 | 0 | 00 | 15 |
| | 859-A3 | 0 | 02 | 39 |
| | 859-A7 | 0 | 05 | 19 |
| | 859-A8 | 0 | 02 | 90 |
| | 853-02 | 0 | 02 | 15 |
| | 853-03 | 0 | 20 | 53 |
| | 852 | 0 | 14 | 87 |
| | 798-C | 0 | 20 | 22 |
| | 798-B | 0 | 09 | 85 |
| | 798-A | 0 | 11 | 23 |
| | 797-02 | 0 | 01 | 15 |
| | 802-B | 0 | 00 | 56 |
| | 803-A | 0 | 32 | 92 |
| | 803-B | 0 | 01 | 81 |
| | 809-20 | 0 | 33 | 26 |
| | 823 | 0 | 37 | 79 |
| | 216-04 | 0 | 11 | 63 |
| | 216-07 | 0 | 06 | 14 |
| | 216-06 | 0 | 07 | 51 |
| | 212-01 | 0 | 14 | 12 |
| | 212-02 | 0 | 17 | 68 |

| 1 | 2 | 3 | 4 | 5 |
|------|--------|---|----|----|
| पुनः | 209-01 | 0 | 14 | 84 |
| | 209-02 | 0 | 09 | 38 |
| | 209-03 | 0 | 07 | 78 |
| | 205-01 | 0 | 07 | 72 |
| | 205-02 | 0 | 03 | 87 |
| | 205-03 | 0 | 03 | 71 |
| | 205-06 | 0 | 07 | 92 |
| | 178-05 | 0 | 06 | 20 |
| | 178-09 | 0 | 00 | 95 |
| | 178-07 | 0 | 10 | 89 |
| | 178-08 | 0 | 00 | 17 |
| | 178-06 | 0 | 15 | 43 |
| | 178-17 | 0 | 00 | 81 |
| | 179-01 | 0 | 08 | 77 |
| | 179-02 | 0 | 09 | 76 |
| | 179-03 | 0 | 02 | 59 |
| | 179-04 | 0 | 04 | 74 |
| | 180-01 | 0 | 07 | 29 |
| | 180-02 | 0 | 08 | 85 |
| | 180-03 | 0 | 07 | 41 |
| | 180-04 | 0 | 02 | 27 |
| | 180-05 | 0 | 13 | 93 |
| | 180-06 | 0 | 05 | 97 |

| 1 | 2 | 3 | 4 | 5 |
|--------|---------|---|----|----|
| पविधरम | 392-A4 | 0 | 03 | 44 |
| | 392-A3 | 0 | 08 | 59 |
| | 392-B3 | 0 | 04 | 72 |
| | 392-B4 | 0 | 04 | 56 |
| | 392-C | 0 | 09 | 33 |
| | 380-01 | 0 | 04 | 88 |
| | 380-19 | 0 | 01 | 14 |
| | 380-13 | 0 | 00 | 94 |
| | 380-14 | 0 | 04 | 45 |
| | 380-12 | 0 | 08 | 02 |
| | 379-B1 | 0 | 02 | 54 |
| | 379-B7 | 0 | 02 | 34 |
| | 379-B8 | 0 | 01 | 76 |
| | 379-B6 | 0 | 00 | 48 |
| | 379-B2 | 0 | 00 | 15 |
| | 379-B9 | 0 | 00 | 43 |
| | 379-B11 | 0 | 02 | 52 |
| | 379-B12 | 0 | 02 | 43 |
| | 379-B13 | 0 | 04 | 82 |
| | 379-B19 | 0 | 08 | 03 |
| | 379-B18 | 0 | 02 | 93 |
| | 379-B20 | 0 | 02 | 20 |
| | 379-B21 | 0 | 09 | 47 |
| | 379-B22 | 0 | 02 | 12 |
| | 379-B23 | 0 | 04 | 01 |

| 1 | 2 | 3 | 4 | 5 |
|----------|--------|---|----|----|
| कारुदयाम | 615-06 | 0 | 41 | 98 |
| पालायाम | 584 | 0 | 35 | 87 |
| | 585-01 | 0 | 28 | 95 |
| | 587-A2 | 0 | 33 | 66 |
| | 587-A1 | 0 | 07 | 16 |
| | 569-01 | 0 | 00 | 15 |
| | 569-02 | 0 | 12 | 90 |
| | 566-01 | 0 | 30 | 38 |
| | 566-02 | 0 | 03 | 14 |
| | 565-01 | 0 | 07 | 44 |
| | 565-02 | 0 | 43 | 47 |
| | 565-03 | 0 | 03 | 00 |
| | 554-01 | 0 | 55 | 83 |
| | 548 | 0 | 00 | 25 |
| | 552-A1 | 0 | 40 | 78 |
| | 474-01 | 0 | 09 | 21 |
| | 474-02 | 0 | 08 | 41 |
| | 474-06 | 0 | 07 | 58 |
| | 474-05 | 0 | 00 | 90 |
| | 473-01 | 0 | 09 | 16 |
| | 473-04 | 0 | 06 | 59 |
| | 472-01 | 0 | 57 | 22 |
| | 471 | 0 | 25 | 54 |
| | 470 | 0 | 18 | 03 |
| | 441 | 0 | 33 | 70 |
| | 456-02 | 0 | 11 | 99 |
| | 456-06 | 0 | 13 | 79 |
| | 452-01 | 0 | 21 | 50 |
| | 453 | 0 | 07 | 53 |
| | 452-04 | 0 | 00 | 18 |
| | 451-01 | 0 | 02 | 05 |
| | 451-02 | 0 | 02 | 06 |
| | 451-03 | 0 | 02 | 19 |
| | 451-04 | 0 | 02 | 44 |
| | 451-05 | 0 | 13 | 04 |
| | 446-01 | 0 | 30 | 74 |
| | 446-05 | 0 | 02 | 00 |
| | 447-04 | 0 | 00 | 94 |
| | 447-05 | 0 | 05 | 01 |

| 1 | 2 | 3 | 4 | 5 |
|----------|--------|---|----|----|
| कारुदयाम | 448-01 | 0 | 04 | 30 |
| पालायाम | 448-02 | 0 | 08 | 20 |
| | 448-06 | 0 | 03 | 59 |
| | 448-05 | 0 | 07 | 24 |
| | 406-A | 0 | 30 | 59 |
| | 407-B | 0 | 01 | 62 |
| | 402 | 0 | 00 | 19 |
| पारामथी | 6-11 | 0 | 00 | 46 |
| | 25-A4 | 0 | 11 | 12 |
| | 25-A5 | 0 | 10 | 00 |
| | 25-A6 | 0 | 00 | 53 |
| | 25-B | 0 | 17 | 85 |
| | 24-01 | 0 | 16 | 69 |
| | 24-02 | 0 | 15 | 86 |
| | 17 | 0 | 52 | 71 |
| | 50-B | 0 | 17 | 17 |
| | 49-03 | 0 | 26 | 52 |
| | 49-02 | 0 | 05 | 36 |
| | 49-01 | 0 | 14 | 58 |
| | 48 | 0 | 40 | 70 |
| | 47-02 | 0 | 11 | 76 |
| | 47-01 | 0 | 21 | 86 |
| | 46 | 0 | 26 | 06 |
| | 81-A | 0 | 44 | 30 |
| | 82-B5 | 0 | 00 | 75 |
| | 84 | 0 | 06 | 87 |
| | 83-2C | 0 | 11 | 68 |
| | 83-2A | 0 | 16 | 93 |
| | 101-1B | 0 | 13 | 24 |
| | 101-1A | 0 | 07 | 89 |
| | 103 | 0 | 18 | 84 |
| | 104-02 | 0 | 20 | 22 |
| | 104-01 | 0 | 02 | 69 |
| | 105 | 0 | 23 | 61 |
| | 106 | 0 | 14 | 01 |
| | 107 | 0 | 25 | 86 |
| | 114-01 | 0 | 26 | 03 |
| | 115-01 | 0 | 35 | 31 |
| | 117 | 0 | 48 | 60 |
| | 122-02 | 0 | 14 | 68 |
| | 122-01 | 0 | 21 | 48 |

| 1 | 2 | 3 | 4 | 5 |
|--------------------|--------|---|----|----|
| मुनुर | 629 | 0 | 17 | 26 |
| | 642-A | 0 | 27 | 41 |
| | 643-B | 0 | 22 | 48 |
| | 643-A | 0 | 14 | 57 |
| | 658 | 0 | 49 | 34 |
| | 756-03 | 0 | 15 | 48 |
| | 756-02 | 0 | 12 | 63 |
| | 756-01 | 0 | 14 | 27 |
| | 755-03 | 0 | 02 | 06 |
| | 755-04 | 0 | 23 | 04 |
| | 744 | 0 | 20 | 06 |
| | 743 | 0 | 16 | 21 |
| थेनीलाई (पूर्व) | 875-03 | 0 | 38 | 62 |
| | 875-02 | 0 | 01 | 34 |
| | 901-02 | 0 | 15 | 70 |
| | 901-01 | 0 | 03 | 14 |
| | 903-02 | 0 | 44 | 56 |
| | 904-01 | 0 | 50 | 19 |
| | 907 | 0 | 26 | 63 |
| | 928 | 0 | 04 | 23 |
| | 811-01 | 0 | 30 | 38 |
| | 810-05 | 0 | 17 | 41 |
| | 810-03 | 0 | 15 | 27 |
| | 810-01 | 0 | 10 | 97 |
| | 804-02 | 0 | 39 | 68 |
| | 803-12 | 0 | 13 | 03 |
| | 803-11 | 0 | 14 | 22 |
| | 803-10 | 0 | 11 | 82 |
| | 796-04 | 0 | 09 | 30 |
| | 796-03 | 0 | 01 | 69 |
| | 796-02 | 0 | 15 | 03 |
| | 797 | 0 | 10 | 56 |
| | 772-05 | 0 | 08 | 17 |
| | 772-04 | 0 | 02 | 84 |
| | 772-02 | 0 | 03 | 69 |
| | 772-01 | 0 | 01 | 45 |
| | 753-02 | 0 | 01 | 90 |
| | 753-01 | 0 | 25 | 55 |
| | 746-B | 0 | 16 | 32 |
| | 741-16 | 0 | 09 | 90 |
| | 741-12 | 0 | 07 | 40 |
| | 741-10 | 0 | 10 | 45 |
| | 741-03 | 0 | 10 | 17 |
| | 741-02 | 0 | 07 | 45 |
| | 731-08 | 0 | 23 | 23 |
| | 718-06 | 0 | 02 | 28 |

| 1 | 2 | 3 | 4 | 5 |
|--------------------|---------|---|----|----|
| थेनीलाई (पूर्व) | 718-02 | 0 | 09 | 79 |
| | 719-13 | 0 | 00 | 11 |
| | 718-03 | 0 | 00 | 78 |
| | 718-01 | 0 | 16 | 61 |
| | 717-01 | 0 | 18 | 21 |
| | 715-02 | 0 | 62 | 35 |
| | 685-2D | 0 | 19 | 17 |
| | 683-19 | 0 | 16 | 71 |
| | 683-18 | 0 | 06 | 81 |
| | 683-17 | 0 | 08 | 42 |
| | 686-08 | 0 | 00 | 87 |
| | 686-03 | 0 | 02 | 28 |
| | 683-12 | 0 | 03 | 94 |
| | 686-02 | 0 | 02 | 19 |
| | 683-02 | 0 | 10 | 67 |
| | 683-01 | 0 | 09 | 80 |
| | 1380-09 | 0 | 03 | 89 |
| | 1380-07 | 0 | 08 | 37 |
| | 1380-06 | 0 | 06 | 13 |
| | 1380-05 | 0 | 05 | 51 |
| | 1380-04 | 0 | 04 | 16 |
| | 1380-01 | 0 | 22 | 44 |
| | 1384-02 | 0 | 24 | 80 |
| | 1384-01 | 0 | 22 | 02 |
| | 1385-02 | 0 | 16 | 32 |
| | 1385-01 | 0 | 15 | 89 |
| | 1386 | 0 | 17 | 34 |

| 1 | 2 | 3 | 4 | 5 |
|----------------------|---------|---|----|----|
| थेनीलाई (पश्चिम) | 04 | 0 | 50 | 23 |
| | 429-03 | 0 | 14 | 51 |
| | 431 | 0 | 12 | 16 |
| | 432-A3 | 0 | 19 | 43 |
| | 432-A1 | 0 | 04 | 66 |
| | 433-03 | 0 | 41 | 73 |
| | 599-A2 | 0 | 09 | 21 |
| | 599--A1 | 0 | 05 | 51 |
| | 645-03 | 0 | 06 | 72 |
| | 645-02 | 0 | 14 | 14 |
| | 645-01 | 0 | 21 | 02 |
| | 634-B | 0 | 00 | 86 |
| | 632-A3 | 0 | 04 | 70 |
| | 632-A2 | 0 | 13 | 26 |
| | 632-A1 | 0 | 07 | 03 |
| | 626-A3 | 0 | 06 | 31 |
| | 626-A2 | 0 | 24 | 75 |
| | 626-A1 | 0 | 17 | 89 |
| | 624-01 | 0 | 39 | 47 |
| | 1078-01 | 0 | 08 | 69 |
| | 1077-02 | 0 | 12 | 89 |
| | 1077-01 | 0 | 11 | 50 |
| | 1076-03 | 0 | 10 | 23 |
| | 1076-02 | 0 | 06 | 28 |
| | 1075-06 | 0 | 14 | 32 |
| | 1075-05 | 0 | 20 | 10 |
| | 1075-04 | 0 | 10 | 69 |
| | 1075-03 | 0 | 10 | 26 |
| | 1075-02 | 0 | 06 | 63 |
| | 1075-01 | 0 | 01 | 57 |
| | 1087-01 | 0 | 17 | 16 |
| | 1096 | 0 | 36 | 56 |
| | 1098-C | 0 | 18 | 03 |
| | 1098-B | 0 | 17 | 25 |
| मोन्जानुर (पूर्व) | 381 | 0 | 36 | 42 |
| | 380 | 0 | 06 | 05 |
| | 378 | 0 | 24 | 53 |
| | 379 | 0 | 34 | 37 |
| | 391 | 0 | 28 | 08 |

| | १ | ३ | ४ | ५ |
|-----------------------|--------|---|----|----|
| मोन्जानुर (पूर्व) | 402 | 0 | 22 | 53 |
| | 407 | 0 | 43 | 87 |
| | 437 | 0 | 39 | 59 |
| | 440 | 0 | 35 | 64 |
| | 441 | 0 | 15 | 30 |
| | 442 | 0 | 26 | 03 |
| मोन्जानुर (पश्चिम) | 973 | 0 | 25 | 47 |
| | 972 | 0 | 04 | 39 |
| | 971-02 | 0 | 07 | 37 |
| | 971-01 | 0 | 18 | 59 |
| | 947 | 0 | 08 | 55 |
| | 945 | 0 | 37 | 42 |
| | 690 | 0 | 33 | 94 |
| | 689 | 0 | 17 | 53 |
| | 720 | 0 | 46 | 05 |
| | 721-B | 0 | 10 | 04 |
| | 721-A | 0 | 10 | 24 |
| | 725 | 0 | 21 | 02 |
| | 741-01 | 0 | 23 | 33 |
| | 742-B | 0 | 03 | 28 |
| | 743 | 0 | 21 | 14 |
| | 744 | 0 | 13 | 25 |
| | 756-B | 0 | 10 | 24 |
| | 756-A3 | 0 | 05 | 53 |
| | 756-A1 | 0 | 07 | 34 |
| | 759 | 0 | 28 | 07 |
| | 778-04 | 0 | 14 | 81 |
| | 778-01 | 0 | 34 | 91 |
| | 779-B | 0 | 12 | 45 |
| | 779-A | 0 | 04 | 68 |
| | 780 | 0 | 15 | 65 |
| | 781 | 0 | 16 | 24 |
| | 782 | 0 | 16 | 72 |
| | 783-02 | 0 | 09 | 80 |
| | 783-01 | 0 | 29 | 32 |

[फा. सं. आर-31015/16/98-ओ. आर.-II]

एस. चन्द्रशेखर, अवर सचिव

PETROLEUM AND NATURAL GAS

New Delhi, the 2nd June, 1999

S.O. 1612.—WHEREAS by the notification of the Government of India in the Ministry of Petroleum and Natural Gas S. O. No. 387 dated 06.02.99 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the said land specified in the schedule appended to that notification for the purpose of laying pipeline for the transport of Motor, Spirit, Superior kerosene Oil and High speed Diesel from Refinery of Bharat Petroleum Corporation Limited, Cochin to Karur in the State of Tamil Nadu and a pipeline should be laid by Petronet CCK Limited;

AND, whereas, copy of the said Gazette notification has been made available to the public from 24.2.99 to 4.3.99 ;

AND, whereas, the competent authority in pursuance of sub-section (1) of section 6 of the said Act has made his report to the Central Government;

AND, whereas, the Central Government after considering the said report, is satisfied that the right of user in the land specified in the schedule appended to the notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act the Central Government hereby declares that the right of user in the land specified in the schedule appended to this notification are hereby acquired.

AND, further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said lands shall instead of vesting in the Central Government, vest, free from all encumbrances, in the Petronet CCK Limited.

SCHEDULE**TALUK : KARUR DISTRICT: KARUR STATE:TAMILNADU**

| Name Of Village | S.F. No | Area | | |
|-------------------|---------|---------|------|----------|
| | | Hectors | Ares | Sq. Mts. |
| 1 | 2 | 3 | 4 | 5 |
| KADHAPARAI | | | | |
| | 364 | 0 | 06 | 50 |
| | 363-21 | 0 | 00 | 01 |
| | 363-20 | 0 | 00 | 78 |
| | 363-19 | 0 | 04 | 11 |
| | 363-17 | 0 | 01 | 62 |
| | 363-16 | 0 | 02 | 45 |
| | 363-15 | 0 | 01 | 76 |
| | 363-14 | 0 | 02 | 15 |
| | 362-21 | 0 | 01 | 80 |
| | 362-20 | 0 | 01 | 01 |
| | 362-19 | 0 | 00 | 04 |
| | 362-26 | 0 | 00 | 52 |
| | 362-27 | 0 | 01 | 02 |
| | 362-28 | 0 | 01 | 48 |
| | 362-29 | 0 | 03 | 06 |
| | 362-30 | 0 | 01 | 59 |
| | 362-31 | 0 | 01 | 87 |
| | 374-10 | 0 | 04 | 48 |
| | 374-11 | 0 | 04 | 07 |
| | 374-09 | 0 | 02 | 10 |
| | 374-05 | 0 | 01 | 89 |
| | 374-01 | 0 | 05 | 85 |

| 1 | 2 | 3 | 4 | 5 |
|--------------|---------|---|----|----|
| ATHUR | | | | |
| | 706-02 | 0 | 16 | 11 |
| | 706-01 | 0 | 14 | 52 |
| | 710-02 | 0 | 07 | 24 |
| | 710-03 | 0 | 06 | 06 |
| | 710-06 | 0 | 13 | 01 |
| | 712-08 | 0 | 00 | 99 |
| | 712-06 | 0 | 05 | 22 |
| | 712-05 | 0 | 05 | 44 |
| | 712-04 | 0 | 05 | 40 |
| | 712-01 | 0 | 05 | 67 |
| | 715-04 | 0 | 07 | 61 |
| | 715-03 | 0 | 07 | 43 |
| | 715-02 | 0 | 09 | 16 |
| | 715-01 | 0 | 09 | 73 |
| | 718-2A | 0 | 15 | 12 |
| | 719-02 | 0 | 17 | 77 |
| | 790-A1A | 0 | 12 | 54 |
| | 777-B1 | 0 | 28 | 34 |
| | 779-16 | 0 | 05 | 47 |
| | 779-08 | 0 | 04 | 18 |
| | 779-05 | 0 | 01 | 90 |
| | 779-06 | 0 | 00 | 63 |
| | 779-07 | 0 | 01 | 11 |
| | 779-11 | 0 | 01 | 23 |
| | 779-10 | 0 | 03 | 71 |
| | 779-09 | 0 | 01 | 68 |
| | 779-02 | 0 | 08 | 44 |
| | 782-05 | 0 | 03 | 45 |
| | 782-04 | 0 | 03 | 58 |
| | 782-03 | 0 | 08 | 23 |
| | 782-02 | 0 | 04 | 28 |
| | 782-01 | 0 | 11 | 21 |
| | 837-06 | 0 | 00 | 88 |
| | 837-05 | 0 | 00 | 12 |
| | 840-11 | 0 | 05 | 92 |
| | 840-10 | 0 | 06 | 60 |
| | 840-05 | 0 | 04 | 49 |
| | 840-04 | 0 | 03 | 87 |
| | 840-03 | 0 | 04 | 20 |
| | 840-02 | 0 | 07 | 25 |
| | 840-01 | 0 | 10 | 15 |

| 1 | 2 | 3 | 4 | 5 |
|--------------|---------|---|----|----|
| ATHUR | | | | |
| (Contd) | 839-05 | 0 | 01 | 40 |
| | 839-02 | 0 | 12 | 21 |
| | 839-01 | 0 | 10 | 19 |
| | 846-02 | 0 | 04 | 84 |
| | 1109-11 | 0 | 08 | 72 |
| | 1109-08 | 0 | 07 | 20 |
| | 1109-07 | 0 | 14 | 50 |
| | 1109-06 | 0 | 05 | 65 |
| | 1109-05 | 0 | 04 | 79 |
| | 1109-04 | 0 | 06 | 19 |
| | 1109-01 | 0 | 05 | 90 |
| | 1106-A2 | 0 | 17 | 78 |
| | 1106-A1 | 0 | 05 | 25 |
| | 1106-B7 | 0 | 09 | 96 |
| | 1101-22 | 0 | 02 | 64 |
| | 1101-21 | 0 | 01 | 69 |
| | 1101-20 | 0 | 00 | 62 |
| | 1101-18 | 0 | 00 | 14 |
| | 1101-19 | 0 | 06 | 99 |
| | 1101-16 | 0 | 01 | 06 |
| | 1101-13 | 0 | 00 | 73 |
| | 1101-14 | 0 | 01 | 22 |
| | 1101-15 | 0 | 01 | 22 |
| | 1102-33 | 0 | 00 | 49 |
| | 1101-12 | 0 | 00 | 49 |
| | 1102-27 | 0 | 04 | 43 |
| | 1102-25 | 0 | 02 | 99 |
| | 1102-24 | 0 | 02 | 39 |
| | 1102-18 | 0 | 00 | 18 |
| | 1102-19 | 0 | 04 | 23 |
| | 1102-08 | 0 | 03 | 12 |
| | 1102-17 | 0 | 01 | 60 |
| | 1102-10 | 0 | 03 | 87 |
| | 1102-09 | 0 | 04 | 86 |
| | 1102-06 | 0 | 01 | 91 |
| | 1143-02 | 0 | 17 | 56 |
| | 1143-01 | 0 | 10 | 93 |
| | 1144-B3 | 0 | 02 | 91 |
| | 1156 | 0 | 44 | 69 |

SCHEDULE**TALUK : ARAVAKURICHI DISTRICT : KARUR STATE : TAMIL NADU**

| Name of Village | S.F.No | Area | | |
|-----------------|---------|---------|------|----------|
| | | Hectors | Ares | Sq. Mts. |
| 1 | 2 | 3 | 4 | 5 |
| PUNNAM | | | | |
| | 1254-07 | 0 | 00 | 34 |
| | 1254-06 | 0 | 02 | 33 |
| | 1253 | 0 | 24 | 13 |
| | 1252-02 | 0 | 03 | 74 |
| | 1249-02 | 0 | 09 | 61 |
| | 1230-02 | 0 | 21 | 11 |
| | 1230-01 | 0 | 04 | 46 |
| | 1232-01 | 0 | 22 | 84 |
| | 1237 | 0 | 01 | 86 |
| | 1233-01 | 0 | 05 | 53 |
| | 1233-06 | 0 | 08 | 36 |
| | 1233-05 | 0 | 00 | 35 |
| | 1233-02 | 0 | 06 | 62 |
| | 1234-03 | 0 | 21 | 31 |
| | 1234-04 | 0 | 01 | 19 |
| | 1197-02 | 0 | 02 | 96 |
| | 1197-03 | 0 | 15 | 34 |
| | 1197-04 | 0 | 07 | 31 |
| | 1197-08 | 0 | 93 | 25 |
| | 1197-09 | 0 | 05 | 94 |
| | 1197-10 | 0 | 03 | 66 |
| | 1197-11 | 0 | 04 | 01 |
| | 1197-12 | 0 | 11 | 25 |
| | 1196-02 | 0 | 20 | 38 |
| | 1195-02 | 0 | 15 | 05 |
| | 1090 | 0 | 50 | 43 |
| | 1101 | 0 | 25 | 19 |

| 1 | 2 | 3 | 4 | 5 |
|---------------|---------|---|----|----|
| PUNNAM | | | | |
| (Contd) | 1102 | 0 | 11 | 67 |
| | 1104-02 | 0 | 43 | 75 |
| | 1042-01 | 0 | 45 | 14 |
| | 1036-1A | 0 | 03 | 41 |
| | 1040-04 | 0 | 00 | 11 |
| | 1037 | 0 | 32 | 14 |
| | 1038 | 0 | 21 | 12 |
| | 1023 | 0 | 04 | 97 |
| | 1024-02 | 0 | 20 | 98 |
| | 857-14 | 0 | 00 | 32 |
| | 857-15 | 0 | 04 | 48 |
| | 857-12 | 0 | 03 | 86 |
| | 857-11 | 0 | 01 | 38 |
| | 858-C2 | 0 | 01 | 04 |
| | 858-A1 | 0 | 07 | 47 |
| | 858-A2 | 0 | 02 | 77 |
| | 858-A3 | 0 | 00 | 15 |
| | 859-A3 | 0 | 02 | 39 |
| | 859-A7 | 0 | 05 | 19 |
| | 859-A8 | 0 | 02 | 90 |
| | 853-02 | 0 | 02 | 15 |
| | 853-03 | 0 | 20 | 53 |
| | 852 | 0 | 14 | 87 |
| | 798-C | 0 | 20 | 22 |
| | 798-B | 0 | 09 | 85 |
| | 798-A | 0 | 11 | 23 |
| | 797-02 | 0 | 01 | 15 |
| | 802-B | 0 | 00 | 56 |
| | 803-A | 0 | 32 | 92 |
| | 803-B | 0 | 01 | 81 |
| | 809-20 | 0 | 33 | 26 |
| | 823 | 0 | 37 | 79 |
| | 216-04 | 0 | 11 | 63 |
| | 216-07 | 0 | 06 | 14 |
| | 216-06 | 0 | 07 | 51 |
| | 212-01 | 0 | 14 | 12 |
| | 212-02 | 0 | 17 | 68 |

| 1 | 2 | 3 | 4 | 5 |
|---------------|--------|---|----|----|
| PUNNAM | | | | |
| (Contd) | 209-01 | 0 | 14 | 84 |
| | 209-02 | 0 | 09 | 38 |
| | 209-03 | 0 | 07 | 78 |
| | 205-01 | 0 | 07 | 72 |
| | 205-02 | 0 | 03 | 87 |
| | 205-03 | 0 | 03 | 71 |
| | 205-06 | 0 | 07 | 92 |
| | 178-05 | 0 | 06 | 20 |
| | 178-09 | 0 | 00 | 95 |
| | 178-07 | 0 | 10 | 89 |
| | 178-08 | 0 | 00 | 17 |
| | 178-06 | 0 | 15 | 43 |
| | 178-17 | 0 | 00 | 81 |
| | 179-01 | 0 | 08 | 77 |
| | 179-02 | 0 | 09 | 76 |
| | 179-03 | 0 | 02 | 59 |
| | 179-04 | 0 | 04 | 74 |
| | 180-01 | 0 | 07 | 29 |
| | 180-02 | 0 | 08 | 85 |
| | 180-03 | 0 | 07 | 41 |
| | 180-04 | 0 | 02 | 27 |
| | 180-05 | 0 | 13 | 93 |
| | 180-06 | 0 | 05 | 97 |

| 1 | 2 | 3 | 4 | 5 |
|------------------|---------|---|----|----|
| PAVITHRAM | | | | |
| | 392-A4 | 0 | 03 | 44 |
| | 392-A3 | 0 | 08 | 59 |
| | 392-B3 | 0 | 04 | 72 |
| | 392-B4 | 0 | 04 | 56 |
| | 392-C | 0 | 09 | 33 |
| | 380-01 | 0 | 04 | 88 |
| | 380-19 | 0 | 01 | 14 |
| | 380-13 | 0 | 00 | 94 |
| | 380-14 | 0 | 04 | 45 |
| | 380-12 | 0 | 08 | 02 |
| | 379-B1 | 0 | 02 | 54 |
| | 379-B7 | 0 | 02 | 34 |
| | 379-B8 | 0 | 01 | 76 |
| | 379-B6 | 0 | 00 | 48 |
| | 379-B2 | 0 | 00 | 15 |
| | 379-B9 | 0 | 00 | 43 |
| | 379-B11 | 0 | 02 | 52 |
| | 379-B12 | 0 | 02 | 43 |
| | 379-B13 | 0 | 04 | 82 |
| | 379-B19 | 0 | 08 | 03 |
| | 379-B18 | 0 | 02 | 93 |
| | 379-B20 | 0 | 02 | 20 |
| | 379-B21 | 0 | 09 | 47 |
| | 379-B22 | 0 | 02 | 12 |
| | 379-B23 | 0 | 04 | 01 |

| 1 | 2 | 3 | 4 | 5 |
|-------------------|--------|---|----|----|
| KARUDAIYAM | | | | |
| PALAYAM | 615-06 | 0 | 41 | 98 |
| | 584 | 0 | 35 | 87 |
| | 585-01 | 0 | 28 | 95 |
| | 587-A2 | 0 | 33 | 66 |
| | 587-A1 | 0 | 07 | 16 |
| | 569-01 | 0 | 00 | 15 |
| | 569-02 | 0 | 12 | 90 |
| | 566-01 | 0 | 30 | 38 |
| | 566-02 | 0 | 03 | 14 |
| | 565-01 | 0 | 07 | 44 |
| | 565-02 | 0 | 43 | 47 |
| | 565-03 | 0 | 03 | 00 |
| | 554-01 | 0 | 55 | 83 |
| | 548 | 0 | 00 | 25 |
| | 552-A1 | 0 | 40 | 78 |
| | 474-01 | 0 | 09 | 21 |
| | 474-02 | 0 | 08 | 41 |
| | 474-06 | 0 | 07 | 58 |
| | 474-05 | 0 | 00 | 90 |
| | 473-01 | 0 | 09 | 16 |
| | 473-04 | 0 | 06 | 59 |
| | 472-01 | 0 | 57 | 22 |
| | 471 | 0 | 25 | 54 |
| | 470 | 0 | 18 | 03 |
| | 441 | 0 | 33 | 70 |
| | 456-02 | 0 | 11 | 99 |
| | 456-06 | 0 | 13 | 79 |
| | 452-01 | 0 | 21 | 50 |
| | 453 | 0 | 07 | 53 |
| | 452-04 | 0 | 00 | 18 |
| | 451-01 | 0 | 02 | 05 |
| | 451-02 | 0 | 02 | 06 |
| | 451-03 | 0 | 02 | 19 |
| | 451-04 | 0 | 02 | 44 |
| | 451-05 | 0 | 13 | 04 |
| | 446-01 | 0 | 30 | 74 |
| | 446-05 | 0 | 02 | 00 |
| | 447-04 | 0 | 00 | 94 |
| | 447-05 | 0 | 05 | 01 |

| 1 | 2 | 3 | 4 | 5 |
|-------------------|--------|---|----|----|
| KARUDAIYAM | | | | |
| PALAYAM | | | | |
| (Contd.) | 448-01 | 0 | 04 | 30 |
| | 448-02 | 0 | 08 | 20 |
| | 448-06 | 0 | 03 | 59 |
| | 448-05 | 0 | 07 | 24 |
| | 406-A | 0 | 30 | 59 |
| | 407-B | 0 | 01 | 62 |
| | 402 | 0 | 00 | 19 |
| PARAMATHI | | | | |
| | 6-11 | 0 | 00 | 46 |
| | 25-A4 | 0 | 11 | 12 |
| | 25-A5 | 0 | 10 | 00 |
| | 25-A6 | 0 | 00 | 53 |
| | 25-B | 0 | 17 | 85 |
| | 24-01 | 0 | 16 | 69 |
| | 24-02 | 0 | 15 | 86 |
| | 17 | 0 | 52 | 71 |
| | 50-B | 0 | 17 | 17 |
| | 49-03 | 0 | 26 | 52 |
| | 49-02 | 0 | 05 | 36 |
| | 49-01 | 0 | 14 | 58 |
| | 48 | 0 | 40 | 70 |
| | 47-02 | 0 | 11 | 76 |
| | 47-01 | 0 | 21 | 86 |
| | 46 | 0 | 26 | 06 |
| | 81-A | 0 | 44 | 30 |
| | 82-B5 | 0 | 00 | 75 |
| | 84 | 0 | 06 | 87 |
| | 83-2C | 0 | 11 | 68 |
| | 83-2A | 0 | 16 | 93 |
| | 101-1B | 0 | 13 | 24 |
| | 101-1A | 0 | 07 | 89 |
| | 103 | 0 | 18 | 84 |
| | 104-02 | 0 | 20 | 22 |
| | 104-01 | 0 | 02 | 69 |
| | 105 | 0 | 23 | 61 |
| | 106 | 0 | 14 | 01 |
| | 107 | 0 | 25 | 86 |
| | 114-01 | 0 | 26 | 03 |
| | 115-01 | 0 | 35 | 31 |
| | 117 | 0 | 48 | 60 |
| | 122-02 | 0 | 14 | 68 |
| | 122-01 | 0 | 21 | 48 |

| 1 | 2 | 3 | 4 | 5 |
|------------------------------|--------|---|----|----|
| MUNNUR | | | | |
| | 629 | 0 | 17 | 28 |
| | 642-A | 0 | 27 | 41 |
| | 643-B | 0 | 22 | 48 |
| | 643-A | 0 | 14 | 57 |
| | 658 | 0 | 49 | 34 |
| | 756-03 | 0 | 15 | 48 |
| | 756-02 | 0 | 12 | 63 |
| | 756-01 | 0 | 14 | 27 |
| | 755-03 | 0 | 02 | 06 |
| | 755-04 | 0 | 23 | 04 |
| | 744 | 0 | 20 | 06 |
| | 743 | 0 | 16 | 21 |
| THENNILAI (EAST) | | | | |
| | 875-03 | 0 | 38 | 62 |
| | 875-02 | 0 | 01 | 34 |
| | 901-02 | 0 | 15 | 70 |
| | 901-01 | 0 | 03 | 14 |
| | 903-02 | 0 | 44 | 56 |
| | 904-01 | 0 | 50 | 19 |
| | 907 | 0 | 26 | 63 |
| | 928 | 0 | 04 | 23 |
| | 811-01 | 0 | 30 | 38 |
| | 810-05 | 0 | 17 | 41 |
| | 810-03 | 0 | 15 | 27 |
| | 810-01 | 0 | 10 | 97 |
| | 804-02 | 0 | 39 | 68 |
| | 803-12 | 0 | 13 | 03 |
| | 803-11 | 0 | 14 | 22 |
| | 803-10 | 0 | 11 | 82 |
| | 796-04 | 0 | 09 | 30 |
| | 796-03 | 0 | 01 | 69 |
| | 796-02 | 0 | 15 | 03 |
| | 797 | 0 | 10 | 56 |
| | 772-05 | 0 | 08 | 17 |
| | 772-04 | 0 | 02 | 84 |
| | 772-02 | 0 | 03 | 69 |
| | 772-01 | 0 | 01 | 45 |
| | 753-02 | 0 | 01 | 90 |
| | 753-01 | 0 | 25 | 55 |
| | 746-B | 0 | 16 | 82 |
| | 741-16 | 0 | 09 | 90 |
| | 741-12 | 0 | 07 | 40 |
| | 741-10 | 0 | 10 | 45 |
| | 741-03 | 0 | 10 | 17 |
| | 741-02 | 0 | 07 | 45 |
| | 731-08 | 0 | 23 | 23 |
| | 718-06 | 0 | 02 | 28 |

| 1 | 2 | 3 | 4 | 5 |
|------------------|---------|---|----|----|
| THENNILAI | | | | |
| (EAST) | | | | |
| Contd | 718-02 | 0 | 09 | 79 |
| | 719-13 | 0 | 00 | 11 |
| | 718-03 | 0 | 00 | 78 |
| | 718-01 | 0 | 16 | 61 |
| | 717-01 | 0 | 18 | 21 |
| | 715-02 | 0 | 62 | 35 |
| | 685-2D | 0 | 19 | 17 |
| | 683-19 | 0 | 16 | 71 |
| | 683-18 | 0 | 06 | 81 |
| | 683-17 | 0 | 08 | 42 |
| | 686-08 | 0 | 00 | 87 |
| | 686-03 | 0 | 02 | 28 |
| | 683-12 | 0 | 03 | 94 |
| | 686-02 | 0 | 02 | 19 |
| | 683-02 | 0 | 10 | 67 |
| | 683-01 | 0 | 09 | 80 |
| | 1380-09 | 0 | 03 | 89 |
| | 1380-07 | 0 | 08 | 37 |
| | 1380-06 | 0 | 06 | 13 |
| | 1380-05 | 0 | 05 | 51 |
| | 1380-04 | 0 | 04 | 16 |
| | 1380-01 | 0 | 22 | 44 |
| | 1384-02 | 0 | 24 | 80 |
| | 1384-01 | 0 | 22 | 02 |
| | 1385-02 | 0 | 16 | 32 |
| | 1385-01 | 0 | 15 | 89 |
| | 1386 | 0 | 17 | 34 |

| 1 | 2 | 3 | 4 | 5 |
|------------------|---------|---|----|----|
| THENNILAI | | | | |
| (WEST) | | | | |
| | 04 | 0 | 50 | 23 |
| | 429-03 | 0 | 14 | 51 |
| | 431 | 0 | 12 | 16 |
| | 432-A3 | 0 | 19 | 43 |
| | 432-A1 | 0 | 04 | 66 |
| | 433-03 | 0 | 41 | 73 |
| | 599-A2 | 0 | 09 | 21 |
| | 599--A1 | 0 | 05 | 51 |
| | 645-03 | 0 | 06 | 72 |
| | 645-02 | 0 | 14 | 14 |
| | 645-01 | 0 | 21 | 02 |
| | 634-B | 0 | 00 | 86 |
| | 632-A3 | 0 | 04 | 70 |
| | 632-A2 | 0 | 13 | 26 |
| | 632-A1 | 0 | 07 | 03 |
| | 626-A3 | 0 | 06 | 31 |
| | 626-A2 | 0 | 24 | 75 |
| | 626-A1 | 0 | 17 | 89 |
| | 624-01 | 0 | 39 | 47 |
| | 1078-01 | 0 | 08 | 69 |
| | 1077-02 | 0 | 12 | 89 |
| | 1077-01 | 0 | 11 | 50 |
| | 1076-03 | 0 | 10 | 23 |
| | 1076-02 | 0 | 06 | 28 |
| | 1075-06 | 0 | 14 | 32 |
| | 1075-05 | 0 | 20 | 10 |
| | 1075-04 | 0 | 10 | 69 |
| | 1075-03 | 0 | 10 | 26 |
| | 1075-02 | 0 | 06 | 63 |
| | 1075-01 | 0 | 01 | 57 |
| | 1087-01 | 0 | 17 | 16 |
| | 1096 | 0 | 36 | 56 |
| | 1098-C | 0 | 18 | 03 |
| | 1098-B | 0 | 17 | 25 |

| 1 | 2 | 3 | 4 | 5 |
|-----------------|--------|---|----|----|
| MONJANUR | | | | |
| (EAST) | | | | |
| | 381 | 0 | 36 | 42 |
| | 380 | 0 | 06 | 05 |
| | 378 | 0 | 24 | 53 |
| | 379 | 0 | 34 | 37 |
| | 391 | 0 | 28 | 08 |
| | 402 | 0 | 22 | 53 |
| | 407 | 0 | 43 | 87 |
| | 437 | 0 | 39 | 59 |
| | 440 | 0 | 35 | 64 |
| | 441 | 0 | 15 | 30 |
| | 442 | 0 | 26 | 03 |
| MONJANUR | | | | |
| (WEST) | | | | |
| | 973 | 0 | 25 | 47 |
| | 972 | 0 | 04 | 39 |
| | 971-02 | 0 | 07 | 37 |
| | 971-01 | 0 | 18 | 59 |
| | 947 | 0 | 08 | 55 |
| | 945 | 0 | 37 | 42 |
| | 690 | 0 | 33 | 94 |
| | 689 | 0 | 17 | 53 |
| | 720 | 0 | 46 | 05 |
| | 721-B | 0 | 10 | 04 |
| | 721-A | 0 | 10 | 24 |
| | 725 | 0 | 21 | 02 |
| | 741-01 | 0 | 23 | 33 |
| | 742-B | 0 | 03 | 28 |
| | 743 | 0 | 21 | 14 |
| | 744 | 0 | 13 | 25 |
| | 756-B | 0 | 10 | 24 |
| | 756-A3 | 0 | 05 | 53 |
| | 756-A1 | 0 | 07 | 34 |
| | 759 | 0 | 28 | 07 |
| | 778-04 | 0 | 14 | 81 |
| | 778-01 | 0 | 34 | 91 |
| | 779-B | 0 | 12 | 45 |
| | 779-A | 0 | 04 | 68 |
| | 780 | 0 | 15 | 65 |
| | 781 | 0 | 16 | 24 |
| | 782 | 0 | 16 | 72 |
| | 783-02 | 0 | 09 | 80 |
| | 783-01 | 0 | 29 | 32 |

नई दिल्ली, 11 जून, 1999

का.आ. 1613.—केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 2 के खंड (क) के अनुसरण में भारत के राजपत्र में 2 जनवरी, 1999 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का.आ. 16 तारीख 22 दिसम्बर, 1998 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, “पाइपलाइन विछाने के लिए” शब्दों के स्थान पर “मुख्य पाइपलाइन और मुख्य पाइपलाइन से शाखायाँ या शाखा पाइपलाइन विछाने के लिए” शब्द रखे जाएंगे।

[सं. एल.-14014/8/98-जी.पी.]

सुनील कुमार सिंह, अवर सचिव

New Delhi, the 11th June., 1999

S.O. 1613.—In pursuance of clause (a) of section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962), the Central Government hereby makes the following amendments in the notification of the Government of India, Ministry of Petroleum and Natural Gas vide S.O. 16, dated 22nd December, 1998 published in the Gazette of India on 2nd day of January, 1999, namely :—

In the said notification, for the words “laying of the pipeline”, the words “laying of the main pipeline and laterals or branch pipelines from the main pipeline” shall be substituted.

[No. L-14014/8/98-GP]

S. K. SINGH, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 13 मई, 1999

का.आ. 1614.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ऑफ बड़ोदा के प्रबंधन के नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/-II, मुम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-5-99 को प्राप्त हुआ था।

[सं. एल.-12011/94/97-आईआर(बी-II)]

सी. गंगाधरन, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 13th May, 1999

S.O. 1614.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947) the Central Government hereby publishes the award of the Central Government Industrial Tribunal II, Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workman, which was received by the Central Government on 11-5-99.

[No. L-12011/94/97/IR(B-II)]

C. GANGADHARAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. II, MUMBAI

PRESENT:

Shri S. B. Panse, Presiding Officer.

Reference No. CGIT--2/22 of 1998

Employers in relation to the management of
Bank of Baroda.

AND

Their Workmen

APPEARANCES:

For the Employer.—Mr. L. L. D'Souza Representative.

For the Workmen.—Mr. M. B. Anchan Advocate.

Mumbai, dated 13th April, 1999

AWARD

The Government of India, Ministry of Labour by its Order No. L-12011/94/97/IR(B-II) dated 10-3-98, had referred to the following Industrial Dispute for adjudication.

“Whether the action of the management of Bank of Baroda in terminating the services of S/Shri B. E. Shelar, D. G. Bhurte and S. G. Ghadi is legal and justified? If not, to what relief the workmen concerned are entitled?”

2. The Organising Secretary for the Bank of Baroda Employees Union and Thane District Mumbai had filed a Statement of Claimat Exhibit-6. He contended that B. E. Shelar, joined the bank as a sweeper on 1-8-83. Since 1985 he frequently started falling sick.

He submitted medical certificates in support of his sickness and for remaining absent. However when his wife fell sick and was bed ridden there was no one to attend her. He had remained absent to look after her and two small children. For remaining absent for more than three months of which he had informed the bank, the bank by its letter dtd. 2-5-91 treated him as a voluntarily retired as per paragraph-17(A) of the Bipartite settlement.

3. The union submits that D. G. Bhurte, joined the bank as a sweeper on 10-5-73. Since June '89 he started falling sick frequently. He submitted medical certificates substantiating his absence. His wife suffered Jaundice and Typhoid. She was bed ridden, and nobody to attend her and the children. Bhurte had to stay away from the duty. In the above process he remained absent for more than three months and after the lapse of that period the bank asked him to report the duties on 23-9-89. Due to the domestic problems he could not do so. He contacted the Chief Manager who explained the situation to him who asked him to report for duties. But he could not do so in view of his father's sad demise at his native place. Subsequently the bank by its letter dtd. 5th December '89 treated him to be voluntarily retired from service as per paragraph-17(A) of the Bipartite settlement.

4. The union further submits that S. G. Ghadi joined the service of the bank in a supporting cadre in the Central Office on 2nd December '77. Somewhere in middle of 1988 his stars went bad and he became victim of alcoholism which resulted into absenting himself from duties frequently. Since 19-7-89 he continuously remained absent. When he approached the office during July 1990 with an intention to join duties he was told that his services are held to be repudiated. This action was taken by the bank under section 17(A) of the Bipartite Settlement.

5. The union pleaded that the management had taken recourse under paragraph 17(A) of the Bipartite Settlement without issuing any chargesheet to the workman nor any inquiry was conducted regarding the misconduct. The bank had violated the Principles of Natural Justice while terminating the services of the workman. Therefore the termination is against the Principles of Natural Justice illegal, disproportionate, bad in law and not justified.

6. The union further submits that under such circumstances the Tribunal may be pleased to hold that the action of the Bank of Baroda in terminating the services of Shelar, D. G. Bhurte and S. G. Ghadi is against the Principles of Natural Justice and they are to be reinstated in service with full back wages and continuity in service.

7. The management of Bank of Baroda resisted the claim by the written statement (Exhibit-7). It is averred that the dispute has been raised by the union after long inordinate delay and as such the reference is not tenable on the ground alone. It is submitted that the employees concerned have been treated as having voluntarily retired from the bank's services in terms of paragraph-17 of the Bipartite settlement on satisfying the requirement of the said paragraph.

8. The management averred that all these working were issued notices as contemplated under paragraph-17 of the Bipartite settlement and were asked to join the duties within 30 days from the receipt of the said letter. But they did not join the duties. It is therefore the bank treated them to be voluntarily retired from the service.

9. The management pleaded that voluntary retirement does not amount to retrenchment in terms of section 2(oo)(bb) of the Industrial disputes Act of 1947 and as such the question of paying any retrenchment compensation does not arise. The management denied all other contentions taken by the union which is contrary to their stand. It is averred that if this Hon'ble court decides that the bank ought to have held the inquiry the bank prays that it may be given a chance to lead evidence before this Hon'ble court. It is averred that the concerned workmen are not entitled to any of the reliefs as claimed.

10. The union filed a rejoinder at Exhibit-8. It is averred that these workmen remained absent from duties due to sickness and some domestic problems. They never stated that they want to retire voluntarily from the service. As the bank had treated them voluntarily retired of their own as such it amounts to retrenchment. Since no retrenchment compensation was paid to them the retrenchment is illegal and not justified. It is averred that in similar case the Tribunal has reinstated one Salvi with full back wages and continuity in service. It is averred that the bank had also reinstated four other employees without back wages. It is averred that as no inquiry was held before the termination of service the termination is against the Principles of Natural Justice.

11. The issues are framed at Exhibit-9. The issues and my findings there on are as follows:—

| Issues | Findings |
|---|---|
| 1. Whether the reference suffers from laches? | Yes. |
| 2. Whether the employees concerned have voluntarily retired from the bank's service in term of para-17(a) of the Bipartite settlement? | Does not survive, If survives, No. |
| 3. Whether the action of the management is against the Principles of Natural Justice? | Does not survive If survives, yes. |
| 4. Whether the action of the management of Bank of Baroda in terminating the services of Shri B. E. Shelar, D. G. Bhurte and S. G. Ghadi is legal and justified | Does not survive, If survives can be decided after giving an opportunity to the concerned parties to justify its action |
| 5. If not to what relief workman concerned are entitled to? | Does not survive, at this stage. |

REASONS

12. Issue No. 1 was framed in view of the contention taken by the management in this behalf. The union filed a prushis (Exhibit-11) that they do not want to lead any oral evidence in the above matters. It is not in dispute that :—

- (a) Shri B. E. Shelar was treated as having voluntarily retired from the bank services on 9th May, 1991.
- (b) Shri D. G. Bhurte was treated as having voluntarily retired from its services with effect from 8-12-1989.
- (c) Shri S. G. Ghade was treated as having voluntarily retired from the bank services w.e.f. 30th June, 1990

The Industrial Dispute was raised approximately after about 7 to 8 years. In the Statement of claim there is no whisper in respect of why the dispute was raised after so many years. In the written argument of the union also there is nothing in respect of the explanation of this delayed claim. In other words there is no explanation in respect of laches.

13. Mr. D'Souza, the Learned Representative for the management on the other hand strongly submitted that the union had not at all attempted to explain the delay in raising the dispute. They have not lead any evidence either on merit or to show the reasons or grounds for the long and inordinate delay in raising the Industrial Dispute. It is therefore submitted that the claim may be rejected in view of inordinate delay.

14. It is not in dispute that Industrial Disputes Act does not prescribe the period of limitation. But it is well settled position that a dispute is to be raised within a reasonable time. It is settled law that if there is an inordinate delay that could be legitimate ground for holding that there does not exist any industrial dispute.

15. In Deputy Zilla Parishad Vs. Shantaram Kanoji 1196 LAB IC 2076; it is observed by Their Lordships that stale claim should not be entertained unless the delay is satisfactory explained.

16. In State of Maharashtra Vs. Dyanshwar Rakhmarji Aher 1998 IC LR 522 His Lordships of the Bombay High Court observed that a competent authority will be justified in rejecting the reference for adjudication in respect of the demands which are over stale.

17. In R. Ganeshan Vs. Union of India 1993 67 FLR 426 it is held by Their Lordships that reference/application for making made after an inordinate delay of about three years in absence of any cogent and satisfactory explanation it can be just and proper ground for refusing to make a reference even if the Act does not lay down any period of limitation. It is further observed that not laying down period of limitation does not mean that dispute can be raised at any time even after inordinate delay and the Government is bound to make the reference. For all these reasons I find that as the concerned workmen have not explained the delay or laches the reference suffers from laches.

18. For the sake of argument if it is held that my above finding is incorrect proceed to answer the remaining issues with a view that there should not be further delay.

19. The management examined Shri Matolan (Exhibit-12) P. A. Sundharesan (Ex-13) and Manohar Tivrekar (Ex-14) the concerned Branch Managers. They admitted the position that the domestic inquiry was not held against the workman for remaining absent. No chargesheet was issued to them. They also admitted the position that the Chairman and Managing Director had issued a circular dtd. 18-7-98 after the decision of the Supreme Court of India in Upton India Limited Vs. Shania Bunaas 1998 LAB IC 1545. It is circulated that in view of the said judgment:—

1. In a recent Supreme Court Judgment (Upton India Ltd. Vs. Shammi Bhabnis and Ors— (SLP No. 1079 of 1998) the Hon'ble court has ruled that the services of a permanent employee cannot be arbitrarily terminated either by giving a month or three months notice or pay in lieu thereof, or even without notice notwithstanding that there may be stipulation to that effect either in the contract of service or in the certified standing orders. It is further held that when there is a discretion whether or not to terminate the services of an employee, it cannot be exercised capriciously. The employee against whom action on the basis of such provisions is to be taken must be given an opportunity of hearing. The principles of natural justice must be complied with and the employee must be informed of the grounds for which action was proposed to be taken against him from overstaying the leave. Any clause provided for automatic termination of service would be bad if it does not purport to provide any opportunity of hearing to the employee whose services are treated to have come to an end automatically.
 2. As the Vth BPS provides a course of action to give 30 days notice in case of award staff employees who are absenting from duty, the bank has been resorting to clause (17(A)) of BPS and the employee, after due notice are treated as voluntarily retired from the bank by their own action, without holding any departmental inquiry or passing orders on completion of such proceedings.
 3. In view of the aforesaid Judgment of the Hon'ble Supreme Court of India Vis-a-Vis the practice followed by the Bank in resorting to para 17(A) of the Vth BPS, the opinion of the Bank's counsel was obtained.
- In the opinion of the counsel, though clause 17(A) of the Vth BPS is worked in such a way that the employee is deemed to have voluntarily retired from the services of the Bank and no further action on the part of the Bank would still amount to termination of services of the employee. The Hon'ble Supreme Court has ruled (in above cited case and others) that the services of a permanent employee cannot be terminated

abruptly and arbitrarily. It is further held that when there is a discretion whether or not to terminate the services of an employee, it cannot be exercised capriciously. The discretion has to be based on the objection consideration of all the circumstances and material which may be available on record and not merely by giving requisite notice even if there is stipulation in the contract of service of standing orders.

4. In view of the aforesaid opinion of the counsel as well as the Supreme Court Judgment in the case of *Upton India Ltd. Vs. Shammi Bhans* to dispense with the service of an employee under clause 17(A) of Vth BPS by notice of having voluntarily retired from service would be bad in law and hence it would be incumbent upon the Bank to necessarily hold a departmental inquiry in all cases of unauthorised absence of such an employee.

5. Please be guided accordingly and bring the contents to the notice of the Disciplinary authorities of your zone/region.

20. In this particular case all these workmen were treated as a voluntarily retired from the service in view of the paragraph-17(i) of the Bipartite settlement. In view of the ratio given in *Upton's* case the bank itself had come to the conclusion that in such a matter a domestic inquiry is to be conducted. Under such circumstances I do not find it necessary to deal with the submissions made by the Learned Representative for the bank in respect of justifying the action, at this stage.

21. The action of the management in respect of these permanent employees treating them voluntarily retired in paragraph-17(i) of the Bipartite settlement is nothing but by way of punishment. It is tried to show that an opportunity was given to them. But in that case in view of the circular of the bank a domestic inquiry was to be held against them. It is tried to submit that the circular is of the year 1998 and the action was taken in the year 1990. Therefore it has no application is without any merit. The same law was governing at that time.

22. In *Cooper Engineering Limited Vs. P. P. Munde* 1975 I LLJ 379 and the workman of Fire Stone Tyre and Rubber company of India Pvt. Ltd. Vs. Management and Ors. 1975 I LLJ 273 if the court come to the conclusion that the Principles of Natural Justice were not followed in a domestic inquiry then the management has to be given an opportunity to lead evidence to substantiate its action. In *Cooper Engineering* case. Their Lordships have observed that a case of defective inquiry stands on the same footing is not an inquiry. Here in this case there was no domestic inquiry. The management in the written statement have contended that if the Tribunal comes to the conclusion that the domestic inquiry is required to be conducted they may be given an opportunity to justify its action. Their Lordships have also observed that in such a case an opportunity is to be given to the management to justify its action.

23. Here in this case from the written argument of the management it appears that by leading evidence of these witnesses it is tried to submit that they have justified their action. But, that evidence can be considered only when they were given an opportunity to justify its action and not before that. The union was to be made aware of the position that an opportunity is given to the management to justify its action. They are also required to give an opportunity to meet the allegations. Here in this case that has not happened. Therefore the contention of the management that by leading evidence by these three witnesses and as the union had not cross examined the witnesses on that point their action is to be treated as justified. I do not find any merit in those submissions.

24. The union tried to reply upon the judgment which is passed by this Tribunal in Reference No. 13 of 1992 on 9th November '94. The facts of that case are quiet different then the facts before me. It has no application.

25. In the result I record my findings on the issues accordingly and pass the following order :—

ORDER

The reference suffers from laches.

S. B. PANSE, Presiding Officer

नई दिल्ली, 17 मई, 1999

का.आ. 1615.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गण में, केन्द्रीय सरकार मूलकोको स्टोन क्वारी के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-5-99 को प्राप्त हुआ था।

[सं.एल-29012/14/91-आई.आर. (विधि)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 17th May, 1999

S.O. 1615.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Malkoko Stone Quarry and their workman, which was received by the Central Government on 17-5-99.

[No. I-29012/14/91-IR(Misc.)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2)
AT DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act, 1947.

REFERENCE NO. 128 OF 1991

PARTIES :

Employers in relation to the management of Malkoko Stone Quarry, Inderva, Dist. Hazaribagh and their workmen.

APPEARANCES :

On behalf of the workmen : None.

On behalf of the employers : None.

STATE : Bihar INDUSTRY : Stone

Dated, Dhanbad, the 5th May, 1999

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-29012/14/91-I.R. (Misc.) dated, the 9th September, 1991.

SCHEDULE

"Whether the action of the management of Malkoko Stone Quarry, Inderva, P.O. Lokai, Dist. Hazaribagh by dismissing the services of Sri Mahabir Prasad Yadav without any notice or showing any reason is legal and justified? If not, what relief the workman is entitled to?"

2. In this reference both the parties appeared and filed their respective W.S. But subsequently they both abstained from appearing before this Tribunal and taking any steps inspite of the issuance of notices to them again and again leading to an inference that presently no dispute is existing between them. The reference is pending since 1991 and it is of no use to drag the same year after year for taking steps by the parties. Under such circumstances a 'No dispute' Award is being rendered and the reference is disposed of on 'No dispute' Award basis on the presumption of non-existence of any industrial dispute between the parties.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 17 मई, 1999

का.शा. 1616.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार रेल डाक सेवा के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण व श्रम न्यायालय, जोधपुर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 17-5-1999 को प्राप्त हुआ था।

[सं. एल-40011/35/95-आई.आर. (डीयू)]

बी.एम. डेबिड, डेस्क अधिकारी

New Delhi, the 17th May, 1999

S.O. 1616.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal-cum-Labour Court, Jodhpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management

of Railway Mail Service and their workman, which was received by the Central Government on the 17-5-99.

[No. L-40011/35/95-IR(DU)]

B. M. DAVID, Desk Officer

अनुबंध

औद्योगिक विवाद अधिकरण एवं श्रम न्यायालय,
जोधपुर

पीठासीन अधिकारी :—श्री चांदमल तोपला, आर.एच.जे.एस.
श्री. वि. (केन्द्रीय) सं. :—4/1996

श्री बाबूलाल परिहार द्वारा नेशनल यूनियन आर.एम.एस.
एम्प्लोईज, आर.एम.एस. रेलवे स्टेशन, जोधपुर

---प्रार्थी

बनाम

अधीक्षक रेल डाक सेवा, एस.टी. डिबिजन, जोधपुर

---अप्रार्थी

उपस्थिति :—

(1) प्रार्थी की ओर से श्री जितेन्द्र गहलोत प्रतिनिधि

(2) अप्रार्थी की ओर से श्री भावूजनाथ प्रतिनिधि

अधिनिर्णय

दिनांक: 30-4-1999

श्रम मंत्रालय भारत सरकार की विज्ञापित सं. एल. 40011/-35/95-आर.आर. (डी.यू.) दिनांक 30-5-1996 से श्रमिक कर्मचारी तथा उसके नियोजक के मध्य उत्पन्न हुआ निम्नांकित औद्योगिक विवाद अधिनिर्णय हेतु इस औद्योगिक न्यायाधिकरण को प्रेषित किया गया तथा दिनांक 12-6-96 को नियमित औद्योगिक विवाद संख्या 4/96 पंजीबद्ध हुआ :—

"बया अधीक्षक रेल डाक सेवा एस.टी. डिबिजन जोधपुर के द्वारा श्री बाबूलाल परिहार को आदेश दिनांक 3-12-92 के द्वारा न्यूनतम वेतन श्रंखला एच. एस. जी.-II पर एक वर्ष तक कम करने का दण्ड दिया जाना उचित एवं वैध है? यदि नहीं तो कर्मचारी किस राहत का अधिकारी है?"

उपरोक्तानुसार विवाद दिनांक 3-12-1992 के आदेश से प्रार्थी को उसके विभाग के अधीक्षक द्वारा न्यूनतम वेतन श्रंखला एच.एस.जी.-II पर एक वर्ष तक कम करने का दण्ड दिये जाने की वैधानिकता से संबंधित है तथा संबंधित श्रमिक कर्मचारी श्री बाबूलाल परिहार को दिया गया यह दण्ड अनुचित व अवैधानिक बताते हुए श्रमिक संगठन ने अपने संयुक्त सचिव के माध्यम से प्रस्तुत अपने मांग-पत्र में प्रकट किया है कि प्रार्थी रेलवे मेल सचिव (आर.एम.-एस.) जोधपुर में श्रमिक सुपरवाइजर के पद पर कार्यरत है तथा दिनांक 29-10-92 को वह श्रमिक मेज एजेन्ट जोधपुर आर.एम.एस.-2 के पद पर कार्यरत था तथा उस दिन एस.टी.-31 में श्री हरगोविन्द शर्मा डिप्टी पर

जाने के लिए आवेदन था। आवेदन में बताया गया है कि एस.टी.-31 की ट्रेन जोधपुर स्टेशन से 20.50 पर रवाना होती है तथा श्री हरगोविन्द ने 20.50 पर डिप्टी पर जाने से यह कहते हुए इन्कार कर दिया कि तबीयत खराब है जिस पर प्रार्थी ने उसी समय वैकल्पिक व्यवस्था हेतु प्लेट-फार्म नम्बर-4 व 5 पर कार्यरत उपलब्ध मैन मैन को भीमो दिया कि वह एम.टी. 31 अटेंड करे परन्तु चारों मेल मैन सर्व श्री जगदीश, रुधाराम, गिरधारी व भंवरसिंह ने अपनी-अपनी निजी समस्याएं बताते हुए एस.टी. 31 को अटेंड करने से इन्कार कर दिया कि इस पर प्रार्थी ने हैड सोर्टर-2 को उसी समय भीमो दिया कि मैन-मैन की व्यवस्था करावे जिसमें एम.टी. 31 आउट भिजवाई जावे परन्तु एच.एस.टी.-2 ने कोई व्यवस्था नहीं करी तो प्रार्थी ने उसी समय सुपरिन्टेन्डेंट को टेलीफोन पर व्यवस्था करने हेतु निवेदन किया जिसके द्वारा कोई व्यवस्था नहीं की गई तथा इस दौरान गाड़ी प्लेटफार्म छोड़ चुकी थी। आवेदन में बताया गया है कि इस घटना के लिए विपक्षी ने प्रार्थी को लापरवाह रहते हुए प्रार्थी की सर्विस ग्रेड को रिड्यूस कर दिया जिससे उसे 550-रुपये प्रतिमाह की हानि हुई तथा यह 31-12-92 का आदेश गैर कानूनी व विधि विरुद्ध होकर श्रम शोषण भी है जिस आदेश के विरुद्ध प्रार्थी ने नियमों के अन्तर्गत उच्चधिकारियों को अपील भी करी परन्तु अपील को गुणों पर विचार किये बिना ही खारिज कर दिया गया। आवेदन में बताया गया है कि श्री हरगोविन्द शर्मा के नहीं आने पर प्रार्थी ने वैकल्पिक व्यवस्था करने का प्रत्येक प्रयास किया परन्तु कर्मचारियों ने स्वास्थ्य व इसी तरह के कारणों से इन्कार कर दिया तथा इसमें संबंधित भीमो पर चारों मेल-मैनो के हस्ताक्षर भी हैं जिन भीमो को प्रार्थी ने विपक्षी के समक्ष प्रस्तुत किया परन्तु इस पर गौर नहीं किया तथा प्रार्थी द्वारा उच्चधिकारियों को सूचना भी कर दी गई फिर भी प्रार्थी को इस तरह दण्डित कर लोवर ग्रेड में कर दिया। आवेदन में यह भी बताया गया है कि 31-12-92 के आदेश में वर्णित किया गया है कि प्रार्थी ने कार्यरत मेल मैनो को अलग-अलग भीमो नहीं दिया तथा एच.एस.-2 व सुपरिन्टेन्डेंट को सूचना करने में देरी भी की है। बताया गया कि प्रत्येक मेल मैन को अलग-अलग भीमो देने की कोई व्यवस्था नहीं है तथा श्री हरगोविन्द ने 20.50 पर ही इन्कार किया था तथा श्रमिकों को भीमो देने में ही 40 मिनट लग गये जिसके तुरन्त बाद एच.एस.-2 व सुपरिन्टेन्डेंट को भी सूचित कर दिया गया। आवेदन में भी यह बताया गया है कि श्रमिक किसी तरह से लापरवाह नहीं था तथा प्रार्थी श्रमिक इन परिस्थितियों में और क्या कर सकता था। आवेदन में यह भी बताया गया है कि विपक्षी के आदेश संख्या ए 2-64/95 दिनांक जे.डी. 29-11-95 से स्पष्ट है कि श्रमिक को विपक्षी दण्डित नहीं कर सकता अतः यह कृत्य श्रम शोषण में भी आता है। यह भी बताया गया कि प्रार्थी को दिया गया दण्ड मेजर पेनल्टी है अतः नियम 10 सी.सी.एस. (सी.सी.ए.) नियम 1965 की कार्यवाही नहीं की जा सकती तथा प्रार्थी ने

आरोपों का खण्डन कर दिया था तो लगाये गये आरोपों को सिद्ध करने के लिए विभागीय जांच अर्थात् साक्षी के बयान लिया जाना व प्रार्थी को प्रतिपरीक्षण का अवसर दिया जाना अत्यन्त आवश्यक था तथा इसी तरह आदेश में विपक्षी ने निजी ज्ञान से गाड़ियों का समय लिखा है जो तथ्य तथा अन्य कर्मचारियों को सूचना गाड़ी छूटने के पांच मिनट पहले देना आदि का तथ्य भी साथ से ही प्रमाणित किया जा सकता था। अतः प्रार्थी ने अपने निजी ज्ञान का प्रयोग किया है। यह भी बताया गया है कि श्रमिक का पिछला रिकार्ड देखे बिना ही सजा दी गई है तथा पहले का रिकार्ड देखा जाता तो ऐसा आदेश में अवश्य वर्णित किया जाता। बताया गया कि दण्ड प्रयोजित कठोर व न्याय के नैसर्गिक सिद्धांतों के विरुद्ध है तथा प्रार्थी के साथ में प्रार्थी को दस्तावेजों को प्रमाणित भी नहीं दी गई। प्रार्थना की गई कि श्रमिक को दण्डित किये जाने के आदेश दिनांक 31-12-92 से 29-3-93 व 23-1-94 को अपास्त किया जाकर प्रार्थी का वेतन उसी स्टेज पर निर्धारित किया जावे जिन स्टेज पर कि उन दण्डित किया गया था।

विपक्षी ने अपने उत्तर में प्रारम्भिक प्राप्ति के तौर पर बताया है कि सम्माननीय उच्चतम न्यायालय की व्यवस्था ए.आई.आर. 1996 एस.सी. 1271-ए के अनुसार विपक्षी औद्योगिक विवाद अधिनियम, के अन्तर्गत उद्योग की परिभाषा में नहीं आता। आवेदन में अंकित अन्य तथ्यों के उत्तर में बताया गया कि एस.टी. 31 जावक अनुभाग के कार्य करने वाली रेलगाड़ी अपने निर्धारित समय से विलम्ब से थी तथा एस.टी. 31 पर पूर्व के अनुभाग एस.टी. 25 आबक (में कार्यरत कर्मचारी श्री हर गोविन्द शर्मा को जाना था जिन्होंने गाड़ी आते ही इस हेतु असमर्थता जाहिर करी तथा प्रार्थी चाहता तो वैकल्पिक व्यवस्था कर सकता था परन्तु प्रार्थी ने इस संबंध में आदेश देने में तथा प्लेट फार्म संख्या 4 व 5 पर कार्यरत कर्मचारियों को गाड़ी अटेंड करने में शिथिलता जताई तथा प्रधान छटाई सहायक को भी सूचना देने में विलम्ब किया जिससे व्यवस्था करने में पहले ही गाड़ी रवाना हो चुकी थी तथा इस कारण डाक में अनावश्यक विलम्ब हुआ। बताया गया कि प्रार्थी ने उच्चधिकारियों को गाड़ी रवाना होने के समय तक सूचित नहीं किया तथा अनावश्यक समय व्यतीत कर दिया एवं प्रार्थी ने पारी में कार्यरत श्री भंवर लाल मेल मैन को भी आदेश नहीं दिया। बताया गया कि आदेश देने में 40 मिनट का समय लगना मानने योग्य नहीं है क्योंकि एस.टी. 11 की जावक की डाक दिये गये कर्मचारियों को ही आदेश देना था तथा अन्य कर्मचारी पास के ही कार्यालय में कार्यरत थे जब कि प्रार्थी ने प्रधान छटाई सहायक तथा अधीक्षक को 21.45 बजे सूचना दी जो कि गाड़ी के रवाना होने के एक घण्टे बाद है। बताया गया कि प्रार्थी को अपना पक्ष रखने का पूर्ण अवसर दिया गया तथा न्याय के सिद्धांतों का भी पालन किया गया तथा प्रार्थी के असफल

होने पर ही कार्यवाही की गई। यह भी बताया गया कि प्रार्थी की अपील एवं पिटीशन तथ्यपूर्ण व सन्तोषजनक नहीं पाये जाने पर निरस्त हुई। यह भी बताया गया कि सी. सी. ए. रूल 1965 के नियम 12 के अन्तर्गत अधीक्षक ही इस कार्यवाही हेतु अधिकृत है तथा प्रार्थी को उसका पक्ष प्रस्तुत करने, साक्ष्य व अभिलेखों का विवेचन का अवसर दिया गया। व्यय सहित आवेदन अम्बीकार किये जाने की प्रार्थना की गई।

साक्ष्य में प्रार्थी की ओर से स्वयं संबंधित श्रमिक श्री बाबू लाल का शपथ-पत्र प्रस्तुत किया गया जिसमें आवेदन में अंकितानुसार बताया गया तथा उससे प्रतिपरीक्षण भी हुआ। विपक्षी की ओर से प्रारम्भ में (तत्कालीन) अधीक्षक श्री सी. एम. वर्मा का शपथ-पत्र प्रस्तुत किया गया परन्तु बाद में (तत्कालीन) अधीक्षक एम. एस. यादव का शपथ-पत्र प्रस्तुत किया गया जिसमें उत्तर के अनुसार बताया गया तथा शपथ-पत्र पर प्रतिपरीक्षण भी हुआ। प्रार्थी की ओर से विपक्षी के किसी अन्य की अपील में 29-11-95 को पारित आवेदन की प्रति प्रस्तुत की गई तथा प्रार्थी को दिये गये दिनांक 18-11-92 के मीमो व प्रार्थी अन्य कर्मचारियों को कार्य करने के लिए व किये कथित निर्देश के मीमो, उच्चाधिकारियों को दी गई रिपोर्ट व 31-12-92 को पारित आशेषित आवेदन प्रार्थी द्वारा की गई अपील, सधम अधिकारी का आरोप-पत्र तथा प्रार्थी की पिटीशन व जिस पर 23-1-94 का पोस्टल सर्चिन्ग नोट के आदेश की प्रतिलिपियां प्रस्तुत की गईं।

उभयपक्ष के प्रतिनिधिगण के तर्क सुने गये पत्रावली का अवलोकन किया गया।

प्रार्थी प्रतिनिधि ने तर्क दिया है कि प्रार्थी को ट्रेन पहुँचने पर ही श्री हरगोविन्द ने सूचित किया कि वह कार्य करने में असमर्थ है जिससे प्रार्थी के वैकल्पिक व्यवस्था के लिए जो भी संभव था वह सब उसने किया तथा व्यवस्था नहीं होने पर तुरन्त उच्चाधिकारियों को सूचित किया अतः प्रार्थी को दोषी पाया जाना गलत है। यह भी तर्क दिया गया कि जांच विधिवतुसार नहीं हुई है तथा कोई भी साक्ष्य ऐसी नहीं हुई व कोई भी तथ्य ऐसा नहीं था जिससे प्रार्थी को दोषी माना जाना संभव हो। प्रार्थी की ओर से यह भी बताया गया कि उसने लिखित में अन्य कर्मचारियों को श्री हरगोविन्द से संबंधित कार्य अटेंड करने के लिए लिखित में सूचित कर दिया था। प्रतिनिधि विपक्षी ने तर्क दिया है कि प्रार्थी द्वारा तत्परता से कार्यवाही नहीं की गई जिसके कारण अत्यधिक महत्व-

पूर्ण कार्य डाक सेवा में काफ़ी विलम्ब हुआ तथा प्रार्थी ने उच्चाधिकारियों को भी समय पर सूचना नहीं दी उस दिन ट्रेन 40 मिनट लेट थी फिर भी प्रार्थी ने उच्चाधिकारियों का समय पर सूचना नहीं करी जिस पर नियमानुसार विभागीय जांच करके प्रार्थी को दोषी पाया गया है। विपक्षी की ओर से यह भी बताया गया कि जब तक अत्यन्त ही मजबूत कारण न हो विभागीय जांच के निष्कर्ष में हस्तक्षेप नहीं किया जाना चाहिये।

प्रार्थी श्री बाबूलाल ने अपने शपथ-पत्र में बताया है कि श्री हरगोविन्द ने 20.50 पर कार्य पर जाने से इन्कार किया अतः उसी समय प्लेटफार्म पर कार्यरत चार मेल मैनो को इसके लिए कहा था जिलमें से तीन ने स्वयं के स्वास्थ्य के कारण तथा एक ने अन्य कार्य के कारण इन्कार कर दिया तथा मीमो पर इन चारों मेल मैनो के हस्ताक्षर हैं। इसके पश्चात् उसने एच. एस.-2 को मेल मैन की व्यवस्था करने के निर्देश दिये जिसके द्वारा व्यवस्था नहीं करने पर सुपरिन्टेन्डेंट को टेलीफोन पर सूचना दी गई अतः उसके द्वारा कोई कार्य में लापरवाही या उपेक्षा नहीं की गई। शपथ-पत्र में यह भी बताया गया है कि अन्य मेल मैनो के हस्ताक्षरित मीमो उसने कार्यवाही के दौरान प्रस्तुत किये थे जिन पर विचार नहीं किया गया तथा विभागीय जांच में साक्षीगण के बयान लिया जाना अत्यधिक आवश्यक था। प्रतिपरीक्षण में बताया है कि उसे हरगोविन्द की सूचना रात्रि के 8-8.30 बजे एसिस्टेंट धेल एजेंट अब्दुल समी ने लाकर दी थी तथा उसने उपरोक्त मेलमैनो के संबंध प्रधान छंटवाई सहायक को 15-20 मिनट में सूचना दे दी थी। प्रार्थी ने यह भी बताया है कि उसने एस. टी.-II गाड़ी पर जाने वालों को कोई आदेश नहीं दिये।

विपक्षी के गवाह श्री एम. एम. यादव के शपथ-पत्र के अनुसार प्रार्थी को अन्य कर्मचारियों को कहने में 40 मिनट का समय लग जाना माने जाने योग्य नहीं है तथा प्रार्थी ने भंवर लाल मेल मैन को कोई आदेश नहीं दिया था व एस.टी. जावक की डाक देने गये कर्मचारियों को आदेश नहीं दिये जो कि पास ही कार्यालय में कार्यरत थे तथा प्रार्थी ने रात्रि को 21.45 को छंटवाई सहायक तथा अधीक्षक को सूचना दी थी जिस लापरवाही के लिए विधिसंगत कार्यवाही किया जाना आवश्यक था जो की गई तथा केन्द्रीय सिविल सेवाएं (वर्गीकरण नियंत्रण व अपील) रूल के अन्तर्गत कार्यवाही कर प्रार्थी को दोषी पाया गया। प्रतिपरीक्षण में बताया है कि गवाह स्वयं उस समय अधीक्षक नियुक्त

नहीं था तथा अधीक्षक से क्या बात हुई उसे पता नहीं तथा प्रार्थी सुपरवाइजर के विरुद्ध कार्यवाही करने के लिए सक्षम अधिकारी रिजनल डायरेक्टर है तो यह गवाह कुछ नहीं कह सकता। गवाह ने यह कहा है कि एकस्ट्रा मेल में भी उपलब्ध रहता है।

प्रार्थी ने जो बताया है उसी से स्पष्ट है कि उसे आरोप पत्र दिया गया तथा जांच हुई। दिनांक 31-12-92 के आदेश संबंधित अधिकारी का आदेश इस मामले में विस्तृत है जिसके अनुसार प्रार्थी को इस संबंध में आरोप पत्र दिया गया तथा प्रार्थी ने विस्तृत उत्तर दिया। अधिकारी अधीक्षक द्वारा माना गया कि उत्तर मानने योग्य नहीं था क्योंकि एस. टी. -II पर गये हुए मेल में व कर्मचारी प्लेट फार्म संख्या-4 पर उपलब्ध थे जिन्हें इसके लिए नहीं सूचित किया गया। आदेश में यह भी अंकित है कि संबंधित ट्रेन 20.50 पर आई तथा 21.50 पर गई। इस तरह पर्याप्त समय एक घंटा प्रार्थी को उपलब्ध था परन्तु उसने गिथिलता की एवं उच्चाधिकारियों को भी 21.45 पर सूचित किया जब कि ट्रेन में पांच मिनट ही रह गये थे। प्रार्थी द्वारा इस संबंध में बताया गया कि ट्रेन के समय तथा अन्य कार्यों की उपलब्धता के लिए मौखिक साक्ष्य लिया जाना आवश्यक था। न्यायालय की राय में यह तर्क मानने योग्य नहीं है क्योंकि जो-जो कर्मचारी उपलब्ध होते हैं या डिप्टी पर रहते हैं यह सब नियमित तौर पर रखे जाने वाले विभागीय रिकार्ड में अंकित होते हैं। इसी तरह ट्रेन का वास्तविक आने व रवानगी का समय भी उपलब्ध रहता है जिसके लिए औपचारिक साक्ष्य की विभागीय जांच में आवश्यकता नहीं रह जाती। प्रार्थी कितने मिनट में क्या कार्य कर सकता था, इस बारे में निष्कर्ष निश्चित तौर से इस प्रकरण में इस न्यायालय द्वारा नहीं लिया जा सकता। इस बारे में निष्कर्ष लेने के लिए ही सक्षम अधिकारी स्वयं समर्थ है तथा कार्य व परिस्थितियों व कार्य स्थल इत्यादि की आवश्यक जानकारी रखता है। इस बारे में केवल यह उल्लेख कर देना उचित है कि यह सारा घटनाक्रम रेलवे प्लेट फार्म का ही है अर्थात् संबंधित सभी कर्मचारी आस-पास में ही मौजूद थे निश्चित रूप से ज्यादा दूर नहीं थे।

विभागीय जांच में हुए निष्कर्ष में भी हस्तक्षेप किया जाना चाहिये जब कि हुआ निष्कर्ष विचित हो या उन निष्कर्षों तक पहुँचने के लिए किसी तरह की कोई सामग्री उपलब्ध न हो। यहां पर यह उल्लेख कर

देना भी उचित है कि विभागीय जांच व इसी तरह की कार्यवाहियों में प्रमाण का स्तर विधि के अन्तर्गत वांछित कार्यवाहियों या शीबानी प्रकरणों के स्तर तक का होना आवश्यक व अपेक्षित नहीं है यह महत्व का है कि प्रत्येक विभागीय जांच में औपचारिक साक्ष्य होना आवश्यक नहीं है। स्वीकृत या सुनिश्चित तथ्यों के आधार पर निष्कर्ष हो सकता है। यहां पर यह उल्लेख कर देना भी उचित प्रतीत होता है कि विभागीय जांच पर में प्रत्येक कमी या त्रुटि या किसी औपचारिक कमी या त्रुटि मात्र से ही विभागीय जांच पर विपरीत प्रभाव नहीं पड़ता उस कथित कमी या त्रुटि से संबंधित कर्मचारियों को हानि हुई हो या उसके बचाव पर विपरीत प्रभाव पड़ा हो, यह प्रमाणित होना आवश्यक है। इस अधिकरण से विभागीय अपील अधिकारी या जांच अधिकारी की तरह का काम किया जाना भी अपेक्षित नहीं है तथा जिन निष्कर्षों पर पहुंचा गया है वे निष्कर्ष यदि संभव हो तो उसमें हस्तक्षेप नहीं किया जाना चाहिये। उपरोक्तानुसार विभागीय जांच में निष्कर्ष तथा दिये गये इण्डादेश में हस्तक्षेप करने का कोई कारण नहीं है।

प्रतिनिधि प्रार्थी ने तर्क दिया है कि अधीक्षक रेलवे मेल सर्विस प्रार्थी को दण्डित करने के लिए सक्षम अधिकारी नहीं हैं। विपक्षी की ओर से सेन्ट्रल सर्विसेज क्लासिफिकेशन कंट्रोल एण्ड अपील रुस्त प्रस्तुत किए हैं व इसके शिड्यूल की तरफ न्यायालय का ध्यान आकृषित कर बताया कि अधीक्षक रेल डाक सेवा उसके लिए सक्षम अधिकारी था। नियमों से अधीक्षक सक्षम अधिकारी प्रतीत होता है। प्रार्थी की ओर से विपक्षी विभाग के पोस्ट मास्टर जनरल राजस्थान, जोधपुर के मांमो संख्या ए/2-64/95 दिनांक 29-11-95 की प्रतिलिपी प्रस्तुत कर बताया गया कि बाबू लाल परिहार एच. एस. जी-II के लिए उपरोक्त उच्चाधिकारियों ने इस आदेश में यह माना है कि अधीक्षक इस तरह तीन वेतन वृद्धियों रोकने के लिए सक्षम नहीं है तथा इस हेतु सक्षम अनुशासनात्मक अधिकारी अन्य है। विपक्षी द्वारा इसका प्रतिवाद किया गया है। दिनांक 29-11-95 के उपरोक्त पत्र एच. एस. जी-II सेंटिंग एसिस्टेंट के पत्र के लिए है। प्रस्तुत प्रकरण में आवेदन के पैरा संख्या-1 में बताया गया है कि प्रार्थी अभिक मेल एजेंट नियुक्त था। इस तरह पदों का अंतर स्पष्ट होता है। अतः प्रार्थी का यह तर्क माने जाने योग्य नहीं है। इसके अतिरिक्त प्रस्तुत प्रकरण में यह महत्व का है कि प्रार्थी स्वयं ही डायरेक्टर पोस्टल सर्विसेज को की गई अपील के अनुसार उसे

1600-2600 की वेतन शृंखला में न्यूनतम पर रखने का दण्ड दिया गया अर्थात् जिस समय की घटना है प्रार्थी न्यूनतम से अधिक अर्थात् 1600 से अधिक पा रहा था। इस प्रकरण में यह भी निश्चित प्रकट होता है कि एक कर्मचारी के नहीं आने पर प्रार्थी को अन्य कई कर्मचारियों में से किसी को या सब को कार्य पर आने के लिए निर्बोध देना तथा ऐसे कार्य का सुपरवीजन करना था। इस तरह प्रार्थी 1600 से अधिक पा रहा था तथा सुपर-वाइजर पद पर भी था। अतः प्रार्थी इस स्तर का कर्मचारी नहीं था व इससे निम्न स्तर का था तो निश्चित तौर से अधीक्षक अनुशासनात्मक अधिकारी नियमों के अनुसार था। परिणामस्वरूप प्रार्थी इस प्रकरण में अप्रार्थी नियोजक से कोई राहत पाने का अधिकारी नहीं रह जाता है। तदनुसार यह विवाद अधिनियत किये जाने योग्य है।

अधिनियम

श्रम मंत्रालय भारत सरकार की विनियम सं. 40011/35/95 के अन्तर्गत प्रेषित विवाद इस तरह अधिनियत किया जाता है कि अधीक्षक, रेल डाक सेवा, एस० टी० डिब्बीजन, जोधपुर के द्वारा श्री बाबू लक्ष्मण सिंह को आदेश दिनांक 3-12-92 के द्वारा न्यूनतम वेतन शृंखला एच. एस. जी.-1 पर एक वर्ष तक कम करने का दण्ड दिया जाना अनुचित एवं अवैधानिक नहीं है। प्रार्थी अप्रार्थी से कोई राहत प्राप्त करने का अधिकारी नहीं है। इस अधिनियम को प्रकाशनार्थ व आवश्यक्त कार्यावाही हेतु श्रम मंत्रालय भारत सरकार नई दिल्ली को प्रेषित किया जावे।

यह अधिनियम अज्ञ दिनांक 30-4-1999 को न्यायालय में हस्ताक्षर कर मुनाया गया।

चांदमल तोतला, न्यायाधीश

नई दिल्ली, 21 मई, 1999

का० आ० 1617.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अमूर्त में, केन्द्रीय सरकार मिलिट्री इंजीनियरिंग सर्विस हिसार के प्रबंधन के संबंध निधोजकों और उनके कर्मचारों के बीच, अमूर्त में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक 1608 GI/99—13

अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं० एम्०-14012/38/93-आई आर (डी यू)]

बी० एम्० डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1617.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Military Engineering Service, Hissar and their workman, which was received by the Central Government on the 21-5-99.

[No. L-14012/38/93-IR(DU)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE, SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

CASE NO. I.D. 131 OF 1994

Sh. Ram Chander C/o President Distt. Agriculture Workers Union, 123/5 Jawahar Nagar, Hissar-125001. Petitioner

Vs.

Commander Works, Military Engineering Service, Satriad, Hissar Cantt.-125001.

Respondent

REPRESENTATIVES :

For the workman, None.

For the management : Shri I.S. Sidhu.

AWARD

(Passed on 16-4-1999)

The Central Govt. Ministry of Labour vide Notification No. L-14012/38/93-I.R.(D.U.) dated 20-9-94 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Military Engineering Service, Hissar in

terminating the service of Shri Ram Chander, Ex-Beldar w.e.f. March, 1986 is legal and justified? If not, what relief the workman concerned is entitled to?"

2. Despite several notices none has put up appearance on behalf of the workman. It appears that workman is not interested to pursue with the present reference. In view of the above the present reference is returned to the Appropriate Govt. as unanswered.

Chandigarh.

16-4-1999.

B. L. JATAV, Presiding Officer

नई दिल्ली, 21 मई, 1999

का० आ० 1618.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मिलिट्री इंजीनियरिंग सर्विस, हिस्सर के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं० एन०-14012/39/93-आई० आर० (डी० यू०)]

बी० एम० डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1618.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Military Engineering Service, Hissar and their workman, which was received by the Central Government on 21-5-99.

[No. L-14012/39/93-IR(DU)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL,
TRIBUNAL-CUM-LABOUR COURT,
CHANDIGARH

CASE NO. LD. 46 OF 1994

Sh. Ramphal,
C/o President,
Distt. Agriculture Workers Union,
123/5, Jawahar Nagar,
Hissar. ... Petitioner

Vs.

Commander Works,
M.E.S. Satroad,
Hissar Cantt. ... Respondent.

REPRESENTATIVES :

For the workman : None.

For the management : Shri I. S. Sidhu.

AWARD

(Passed on 16-4-1999)

The Central Govt. Ministry of Labour vide Notification No. L-14012/39/93-IR (D.U.) dated 24th June, 1994 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Military Engineering Service, Hissar in terminating the service of Shri Ramphal, Ex-Beldar w.e.f. December, 1986 is legal and justified? If not, what relief the workman concerned is entitled to?"

2. Despite repeated registered notices, none has put up appearance on behalf of the workman. It appears that workman is no longer interested to pursue with the present reference. In view of the above, the present reference is returned unanswered for want of prosecution. Appropriate Govt. be informed.

Chandigarh.

16-4-1999.

B. L. JATAV, Presiding Officer

नई दिल्ली, 21 मई, 1999

का० आ० 1619.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मलवा हाइड्रोइलेक्ट्रिकल प्रोजेक्ट, ज्योतिपुरम, के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार

औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं. एन०-12011/5/90-आरड० आर० (डी० यू०)]

बी० एम० डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1619.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Salal Hydroelectric Project, Jyotipuram and their workman, which was received by the Central Government on 21-5-99.

[No. L-42011/5/90-IR(DU)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 55 of 1991

The Secretary,
All India NHPC Employees and Workers
Council, Salal Unit, Shed No. 7,
Jyotipuram (Reasi) Distt. Udhampur
J & K-182310 .. Petitioner

Vs.

The Chief Engineer,
Salal Hydroelectric Project,
Jyotipuram (Reasi) J & K-182310
.. Respondent

REPRESENTATIVES :

For the workmen : None

For the management : Shri V. K. Gupta.

AWARD

(Passed on 10th March, 1999)

The Central Govt. Ministry of Labour vide Notification No. L-42011/5/90-IR(DU) dated 8th May, 1991 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Salal Hydroelectric Project, Jyotipuram, rep. through the Chief Engineer, in denying the promotion of the Foreman in pay scale of Rs. 550-900 to pay scale Rs. 650-1200/- against the terms of settlement dated 6-5-87 is justified ? If not, what relief the workmen are entitled to and from what date ?"

2. Despite several notices, the Union has not put appearance. It appears that workman/Union is not interested to pursue with the present reference. In view of the above situation, the present reference is returned to the Appropriate Govt. for want of prosecution. Appropriate Govt. be informed.

Chandigarh,

Camp at Jammu,

10-3-1999

B. L. JATAV, Presiding Officer

नई दिल्ली, 21 मई, 1999

का०आ० 120.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एग्रीकल्चरल रिसर्च इंस्टिट्यूट, कर्नाल के प्रबंधन के संबंध निोजको और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं. एन०-42012/123/95-आरड० आर० (डी० यू०)]

बी० एम० डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1620.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Agricultural Research Institute, Karnal and their workman, which was received by the Central Government on 21-5-99.

[No. L-42012/123/95-IR(DU)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,

CHANDIGARH

CASE NO. I.D. - 64/96

Sh. Brij Pal,

C/o General Secretary,

Agricultural Engg. Mazdoor Union,

C/o Bhartiya Mazdoor Sangh Office

Arjun Gate, Karnal (Haryana)

... Petitioner

Vs.

The Adhyaksh,

Bharatiya Krishi Anusandhan

Sansthan, Kshetriya Station No. 1,

Karnal (Haryana).

... Respondent

REPRESENTATIVES :

For the workman : In person.

For the management : Sh. Sham Sunder.

AWARD

(Passed on 19th March, 1999)

The Central Govt. Ministry of Labour vide Notification No. L-42012/124/95-I.R.(DU) dated 26th July, 1996 has referred the following dispute to this Tribunal for adjudication :

"Whether termination of services of Sh. Brij Pal by Regional Station No. 1 of Indian Agricultural Research Institute, Karnal is justified ? If not what relief the workman is entitled to ?"

2. Today the case was fixed for filing of claim statement by the workman. The workman appeared and made a statement that he does not want to pursue with the present reference as the reference has been settled amicably. Individual of the above, the present reference is returned as settled. Appropriate Govt. be informed.

Chandigarh.
19-3-1999

B. L. JATAV, Presiding Officer

नई दिल्ली, 21 मई, 1999

का० आ० 1621.—ग्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार-इंडियन एग्रीकल्चरल रिसर्च इन्स्टिट्यूट, कर्नाल के

प्रबन्धन के संबंध में निम्नलिखित श्रमिकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं० एल०-42012/124/95-आई० आर० (डी० यू०)]

बी०एम० डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1621.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Agricultural Research Institute, Karnal and their workman, which was received by the Central Government on 21-5-99.

[No. L-42012/124/95-IR(DU)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT
CHANDIGARH

Case No. I.D. 65/96

Shri Sat Pal,

C/o General Secretary,

Agricultural Engg. Mazdoor Union,

C/o Bhartiya Mazdoor Sangh Office,

Arjun Gate, Karnal (Haryana) ... Petitioner

Vs.

The Adhyaksh,

Bharatiya Krishi Anusandhan Sansthan.

Kshetriya Station No. 1,

Karnal (Haryana)

... Respondent.

REPRESENTATIVES :

For the workman : In person.

For the management : Sh. Sham Sunder.

AWARD

(Passed on 19th March, 1999)

The Central Government Ministry of Labour vide Notification No. L-42012/124/95-I.R.(DU) dated 6th August, 1996 has referred the following dispute to this Tribunal for adjudication:

"Whether termination of services of Sh. Sat Pal by Indian Agricultural Research Institute, Regional Station No. 1, Karnal is justified ?"

If not, what relief the workman is entitled to?"

2. Today the case was fixed for filing of claim statement by the workman. The workman appeared and made a statement that he does not want to pursue with the present reference as the reference has been settled amicably. In view of the above, the present reference is returned as settled. Appropriate Govt. be informed.

Chandigarh.

19-3-1999.

B. L. JATAV, Presiding Officer

नई दिल्ली, 21 मई, 1999

का.आ. 1622.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एग्रीकल्चरल रिसर्च इंस्टिट्यूट, करनाल के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं. एल.-42012/125/95-आई.आर.(डी.यू.)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

SO 1622.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Agricultural Research Institute, Karnal and their workman, which was received by the Central Government on the 21-5-99.

[No. L-42012/125/95-IR(DU)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT CHANDIGARH

Case No. I.D. 66/96

Sh. Som Pal S/o Sh. Jagdish Chander,
C/o General Secretary,

Agricultural Engg. Mazdoor Sangh
Office, Arjun Gate, Karnal (Haryana).

.. Petitioner

Vs.

The Adhyaksh,
Bhartiya Krishi Anusandhan Sansthan
Kashetrya Station No. 1,
Karnal (Haryana)

.. Respondent

REPRESENTATIVES :

For the workman : In person.

For the management : Shri Sham Sunder.

AWARD

(Passed on 19th March, 1999)

The Central Govt. Ministry of Labour vide Notification No. L-42012/125/95-I.R.(D.U.) dated 26th July, 1996 has referred the following dispute to this Tribunal for adjudication.

"Whether termination of services of Sh. Som Pal S/o Sh. Jagdish Chander by Indian Agricultural Research Institutes Regional Station No. I, Karnal is justified? If not, what relief the workman is entitled to?"

2. Today the case was fixed for filing of claim statement by the workman. The workman appeared and made a statement that he does not want to pursue with the present reference as the reference has been settled amicably. In view of the above, the present reference is returned as settled. Appropriate Govt. be informed.

Chandigarh

19-3-1999

B. L. JATAV, Presiding Officer

नई दिल्ली, 21 मई, 1999

का. आ. 1623.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एग्रीकल्चरल रिसर्च इंस्टिट्यूट, करनाल के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं. एल.-42012/126/95-आई.आर./(डी.यू.)]

बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

नई दिल्ली, २१ मई, १९९९

S.O. 1623.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure in the industrial dispute between the employers in relation to the management of Indian Agricultural Research Institute, Karnal and their workman, which was received by the Central Government on the 21-5-99.

[No. L-42012/126/95-IR(DU)]
B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING
OFFICER, CENTRAL GOVT. INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT,
CHANDIGARH

Case No. I.D. 67/96

Sh. Satish Kumar,
C/o General Secretary,
Agricultural Engg. Mazdoor Union
C/o Bhartiya Mazdoor Sangh Office,
Arjun Gate, Karnal (Haryana). .. Petitioner

Vs.

The Adhyaksh,
Bhartiya Krishi Anusandhan Sansthan,
Kshetriya Station No. 1,
Karnal (Haryana) ... Respondent

REPRESENTATIVES :

For the workman : In person.

For the management : Sh. Sham Sunder.

AWARD

(Passed on 19th March, 1999)

The Central Govt. Ministry of Labour vide Notification No. L-12012/126/95/IR.(DU) dated 26th July, 1996 has referred the following dispute to this Tribunal for adjudication :

"Whether the termination of services of Sh. Satish Kumar by Indian Agricultural Research Institute Regional Station No. 1, Karnal is justified ? If not what relief the workman is entitled to ?"

2. Today the case was fixed for filing of claim statement by the workman. The workman appeared and made a statement that he does not want to pursue with the present reference as the reference has been settled amicably. In view of the above, the present reference is returned as settled. Appropriate Govt. be informed.

Chandigarh.
19-3-1999

B. L. JATAV, Presiding Officer

का. आ. 1623.—अध्यात्मिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार इण्डियन एग्रीकल्चरल रिसर्च इंस्टिट्यूट, कर्नाल के प्रबन्धन के संबंध में निपटारा और उनके कर्मचारियों के बीच, अनुबंध में निहित आर्थिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[स. एल.-42012/127/95-आई. आर.(डि. य.)]
बी. एम. डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

S. O. 1624.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Agricultural Research Institute, Karnal and their workman, which was received by the Central Government on 21-5-99.

[No. L-42012/127/95-IR(DU)]

B. M. DAVID, Desk Officer.

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUS-
TRIAL TRIBUNAL-CUM-LABOUR COURT,
CHANDIGARH

Case No. I. D. 68/96

Sh. Sunder Rai
C/o General Secretary,
Agricultural Engg. Mazdoor Union,
C/o Bhartiya Mazdoor Sangh Office,
Arjun Gate, Karnal (Haryana) ... Petitioner.

Versus

The Adhyaksh,
Bhartiya Krishi Anusandhan Sansthan,
Kshetriya Station No. 1,
Karnal (Haryana) ... Respondent.

REPRESENTATIVES :

For the workman.—In person.

For the management.—Shri Sham Sunder.

AWARD

(Passed on 19th March, 1999)

The Central Government, Ministry of Labour vide Notification No. L-42012/127/95-IR(D.U.), dated 26th July 1996 has referred the following dispute to this Tribunal for adjudication :

"Whether the termination of services of Sh. Sunder Rai by Indian Agricultural Research

Institute Regional Station No. I, Karnal is justified? If not, what relief the workman is entitled to?"

2. Today the case was fixed or fixing of claim statement, by the workman. The workman appeared and made a statement that he does not want to pursue with the present reference as the reference has been settled amicably. In view of the above, the present reference is returned as settled, appropriate Government, be informed.

Chandigarh,
19-3-1999.

B. L. JATAV, Presiding Officer

नई दिल्ली, 21 मई, 1999

का० आ० 1625:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार इंडियन एग्रीकल्चरल रिसर्च इंस्टिट्यूट, करनाल के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं० एल०-42012/128/95-आई०आर० (डी०यू०)]

बी०एम० डेविड, ईस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1625.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Agricultural Research Institute, Karnal and their workman, which was received by the Central Government on 21-5-99.

[No. L-42012/128/95-IR(DU)]

B. M. DAVID, Desk Officer,

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I. D. 69/96

Sh. Som Pal S/o Sh. Man Singh,
C/o General Secretary,
Agricultural Enge. Mazdoor Union,
C/o Bhartiya Mazdoor Sangh Office,
Arjun Gate, Karnal (Haryana) ... Petitioner.

Versus

The Adhyaksh,
Bhartiya Krishi Anusandhan Sansthan,
Kshetriya Station No. I,
Karnal (Haryana) ... Respondent

REPRESENTATIVES :

For the workman.—In person.

For the management.—Shri Sham Sunder.

AWARD

(Passed on 19th March, 1999)

The Central Government, Ministry of Labour
vide Notification No L-42012/128/95-I.R.(D.U.).

dated 25th July, 1996 has referred the following dispute to this Tribunal for adjudication :

"Whether termination of services of Sh. Som Pal by Indian Agricultural Research Institute Regional Station No. I, Karnal is justified? If not, what relief the workman is entitled to?"

2. Today the case was fixed for fixing of claim statement, by the workman. The workman appeared and made a statement that he does not want to pursue with the present reference as the reference has been settled amicably. In view of the above, the present reference is returned as settled, appropriate Government, be informed.

Chandigarh,

19-3-1999.

B. L. JATAV, Presiding Officer.

नई दिल्ली, 21 मई, 1999

का० आ० 1626:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन इन्स्टिट्यूट ऑफ होर्टिकल्चरल रिसर्च के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं० एल०-42012/128/96-आई०आर० (डी०यू०)]

बी०एम० डेविड, ईस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1626.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Institute of Horticultural Research and their workman, which was received by the Central Government on 21-5-99.

[No. L-42012/128/96-JR(DU)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated : 29th April, 1999

PRESENT :

Justice R. Ramakrishna, Presiding Officer.

C.R. No. 249/97

I PARTY :

The Secretary
Coorg District General Workers
Union, Virajpet-571 218
Kodagu District, Karnataka,

Versus—

II PARTY :

The Director
Indian Institute of Horticultural
Research, Hesaragatta,
Bangalore.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2A of the section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-42012/128/96-IR(DU), dated 9-7-1996 on the following schedule :

SCHEDULE

"Whether the action of the management of Indian Institute of Horticultural Research in terminating the services of Smt. Rani is justified? If not, to what relief she is entitled?"

2. This reference is received on 15-7-1997. A notice by ordinary post was issued to the parties. The first party remained absent. One Shri R. Nagaraj the learned Advocate filed vakalat nama for the second party.

3. Later we have received a letter from the Secretary sent a reply that the whereabouts of the first inability of the workman to come to Bangalore for adjudication of this case.

4. A notice under RPAD was issued to the Secretary of first party, which was duly acknowledged, to file the claim statement and later the case will be fixed in the camp court. To this letter the Secretary sent a reply that the whereabouts of the first party is not known and he will try to trace her and file the claim statement next date i.e. 30-3-1999. This letter was received on 23-2-1999.

5. The case was adjourned precisely for this purpose. But the Secretary has failed to file claim statement directly or by post.

6. In view of these circumstances the dispute cannot be decided on its merits. Since the first party who raised this dispute is duty bound to file the claim statement in accordance with Rule 10B, and having failed to discharge this mandatory obligations the following order is made :

ORDER

The reference is rejected.

(Dictated to the Stenographer, transcribed by her, corrected and signed by me on 29-4-1999).

JUSTICE R. RAMAKRISHNA, Presiding Officer.

नई दिल्ली, 21 मई, 1999

का० आ० 1627:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एग्रीकल्चरल रिसर्च इंस्टिट्यूट, बंगलूर के प्रबन्धकों के संबंध में निम्नलिखित और उनके कर्मचारियों के बीच,

अनुसरण में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं० एम०-42012/129/95-आई०आर० (डी०यू०)]

बी० एम० डेविड, ईस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1627.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure. in the industrial dispute between the employers in relation to the management of Indian Agricultural Research Institute, Karnal and their workman, which was received by the Central Government on the 21-5-1999.

[No. L-42012/129/95-IR(DU)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI B.L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 70/96

Shri Shiv Kumar,
C/o General Secretary,
Agricultural Engg. Mazdoor Union,
C/o Bhartiya Mazdoor Sangh Office,
Arjun Gate, Karnal (Haryana).

Petitioner

Vs.

The Adhyaksh,
Bhartiya Krishi Anusandhan Sansthan,
Kshetriya Station No. 1,
Karnal (Haryana).

Respondent.

REPRESENTATIVES :

For the workman : In person.

For the management : Shri Sham Sunder.

AWARD

(Passed on 19th March, 1999)

The Central Government Ministry of Labour vide Notification No. L-42012/129/95-IR. (D.U.) dated 26th July 1996 has referred the following dispute to this Tribunal for adjudication :

"Whether termination of services of Shri Shiv Kumar by Indian Agricultural Research Institute, Regional Station No. I Karnal is justified? If not, what relief the workman is entitled to?"

2. Today the case was fixed for filing of claim statement by the workman. The workman appeared and made a statement that he does not want to pursue with the present reference as the reference has been settled amicably. In view of the above, the present reference is returned as settled. Appropriate Government be informed.

Chandigarh.
19-3-1999.

B. L. JATAV, Presiding Officer

नई दिल्ली, 21 मई, 1999

का० आ० 1628:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एग्रीकल्चरल रिसर्च इंस्टिट्यूट, कर्नाल, के प्रबन्धकों के संबंध में निम्नलिखित और उनके कर्मचारियों के बीच,

अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं० एम०-42012/130/95-आई० आर० (डी० यू०)]
बी० एम० डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1628--In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Agricultural Research Institute, Karnal and their workman, which was received by the Central Government on the 21-5-1999.

[No. L-42012/130/95-IR(DU)]
B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 71/96

Shri Nanoo Ram,
C/o General Secretary,
Agricultural Engg. Mazdoor Union,
C/o Bhartiya Mazdoor Sangh Office,
Arjun Gate, Karnal (Haryana) .. Petitioner

Vs.

The Adhyaksh,
Bhartiya Krishi Anusandhan Sansthan,
Kshetriya Station No. 1,
Karnal (Haryana) .. Respondent.

REPRESENTATIVES :

For the workman : In person.
For the management : Shri Sham Sunder.

AWARD

(Passed on 19th March 1999)

The Central Government Ministry of Labour vide Notification No. L-42012/130/95-I.R. (D.U.) dated 26th July 1996 has referred the following dispute to this Tribunal for adjudication :

"Whether termination of services of Shri Nanoo Ram by Indian Agricultural Research Institute, Regional Station No. 1, Karnal is justified? If not, what relief the workman is entitled to?"

2. Today the case was fixed for filing of claim statement by the workman. The workman appeared and made a statement that he does not want to pursue with the present reference as the reference has been settled amicably. In view of the above the present reference is returned as settled. Appropriate Government be informed.

Chandigarh.
19-3-1999.

B. L. JATAV, Presiding Officer

नई दिल्ली, 21 मई, 1999

का० आ० 1629:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इण्डियन एग्रीकल्चरल रिसर्च इंस्टिट्यूट कारनाल, के पञ्चाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं० एम०-42012/131/95-आई० आर० (डी० यू०)]
बी० एम० डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1629--In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Agricultural Research Institute, Karnal and their workman, which was received by the Central Government on the 21-5-1999.

[No. L-42012/131/95-IR(DU)]
B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH

CASE No. I.D. 72/96

Shri Raj Kumar,
C/o General Secretary,
Agricultural Engg. Mazdoor Union,
C/o Bhartiya Mazdoor Sangh Office,
Arjun Gate, Karnal (Haryana) .. Petitioner

Vs.

The Adhyaksh,
Bhartiya Krishi Anusandhan Sansthan,
Kshetriya Station No. 1,
Karnal (Haryana) .. Respondent.

REPRESENTATIVES :

For the workman : In person.
For the management : Shri Sham Sunder.

AWARD

(Passed on 19th March 1999)

The Central Government Ministry of Labour vide Notification No. L-42012/131/95-I.R. (D.U.) dated 26th July, 1996 has referred the following dispute to this Tribunal for adjudication :

"Whether termination of services of Shri Raj Kumar by Indian Agricultural Research Institute, Regional Station No. 1, Karnal is justified? If not, what relief the workman is entitled to?"

2. Today the case was fixed for filing of claim statement by the workman. The workman appeared and made a statement that he does not want to pursue with the present reference as the reference has been settled amicably. In view of the above, the present reference is returned as settled. Appropriate Government be informed.

Chandigarh.
19-3-1999.

B. L. JATAV, Presiding Officer

नई दिल्ली, 21 मई, 1999

नई दिल्ली, 21 मई, 1999

का० आ० 1630.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एग्रीकल्चरल रिसर्च इंस्टिट्यूट, करनाल के प्रबंधन के संदर्भ नियोजकों और उनके कर्मचारों के बीच अनुरोध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार, औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं० एल०-12012/132/95-आई० आर० (डी० यू०)]

श्री० एम० डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1630.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Agricultural Research Institute, Karnal and their workman, which was received by the Central Government on the 21-5-1999.

[No. L-42012/132/95-IR(DU)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 73/95

Shri Suresh Pal,
C/o General Secretary,
Agricultural Engg. Mazdoor Union,
C/o Bhartiya Mazdoor Sangh Office,
Arjun Gate, Karnal (Haryana)

.. Petitioner

Vs.

The Adhyaksh,
Bhartiya Krishi Anusandhan Sansthan,
Kshetriya Station No. 1,
Karnal (Haryana)

.. Respondent.

REPRESENTATIVES :

For the workman : In person.

For the management : Shri Sham Sunder.

AWARD

(Passed on 19th March 1999)

The Central Government Ministry of Labour vide Notification No. L-42012/132/95-I.R. (D.U.) dated 26th July, 1996 has referred the following dispute to this Tribunal for adjudication :

"Whether termination of services of Shri Suresh Pal by Indian Agricultural Research Institute, Regional Station No. 1, Karnal is justified? If not, to what relief the workman is entitled to?"

2. Today the case was fixed for filing of claim statement by the workman. The workman appeared and made a statement that he does not want to pursue with the present reference as the reference has been settled amicably. In view of the above, the present reference is returned as settled. Appropriate Government be informed.

Chandigarh.

19-3-1999.

B. L. JATAV, Presiding Officer

का० आ० 1631.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 11) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एग्रीकल्चरल रिसर्च इंस्टिट्यूट, करनाल के प्रबंधन के संदर्भ नियोजकों और उनके कर्मचारों के बीच, अनुरोध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार, औद्योगिक अधिकरण, नई दिल्ली के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं० एल०-12012/132/95-आई० आर० (डी० यू०)]

श्री० एम० डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1631.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Agricultural Research Institute, Karnal and their workman, which was received by the Central Government on the 21-5-1999.

[No. L-42012/132/95-IR(DU)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 105/97

Shri Virender Kumar,
C/o General Secretary,
Agricultural Engg. Mazdoor Union,
C/o Bhartiya Mazdoor Sangh Office,
Arjun Gate, Karnal (Haryana)

.. Petitioner

Vs.

The Adhyaksh,
Bhartiya Krishi Anusandhan Sansthan,
Kshetriya Station No. 1,
Karnal (Haryana)

.. Respondent.

REPRESENTATIVES :

For the workman : In person.

For the management : Shri Sham Sunder.

AWARD

(Passed on 19th March 1999)

The Central Government Ministry of Labour vide Notification No. L-42012/132/95-I.R. (D.U.) dated 26th February, 1997 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Indian Agricultural Research Institute, Karnal in terminating the services of Shri Virender Kumar w.e.f. 21-3-1994 is legal and justified? If not, what relief the workman is entitled to?"

2. Today the case was fixed for filing of claim statement by the workman. The workman appeared and made a statement that he does not want to pursue with the present reference as the reference has been settled amicably. In view of the above, the present reference is returned as settled. Appropriate Government be informed.

Chandigarh.

19-3-1999.

B. L. JATAV, Presiding Officer

नई दिल्ली, 21 मई, 1999

का० आ० 1652—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडिया एग्रीकल्चरल रिसर्च इंस्टिट्यूट के प्रबन्धन के संबंध में निहित औद्योगिक विवाद के बीच, अनुबंध में निहित औद्योगिक विवाद के केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशन करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं० ए०—42012/188/95-आई०आर० (डी० यू०)]

बी० एम० डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1632.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Agricultural Research Institute, and their workman, which was received by the Central Government on 21-5-1999.

[No. L-42012/188-96-IR(DU)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 106/97

Shri Ram Das,
C/o General Secretary,
Agricultural Engg. Mazdoor Union, (Regd.),
C/o Bhartiya Mazdoor Sangh Office,
Arjun Gate, Karnal (Haryana) .. Petitioner

Vs.

The Adhyaksh,
Bhartiya Krishi Anusandhan Sansthan,
Kshetriya Station No. 1,
Karnal (Haryana) ... Respondent.

REPRESENTATIVES:

For the workman : In person.

For the management : Shri Sham Sunder.

AWARD

(Passed on 19th March 1999)

The Central Government Ministry of Labour vide Notification No. L-42012/188/96-I.R. (D.U.) dated 26th Feb., 1997 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of Indian Agricultural Research Institute, Karnal in terminating the services of Shri Ram Das w.e.f. 21-3-94 is legal and justified? If not, to what relief the workman is entitled to?"

2. Today the case was fixed for filling of claim statement by the workman. The workman appeared and made a statement that he does not want to pursue with the present reference as the reference has been settled amicably. In view of the above the present reference is returned as settled. Appropriate Government be informed.

Chandigarh.

19-3-1999

B. L. JATAV, Presiding Officer

नई दिल्ली, 21 मई, 1999

का० आ० 1633—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एग्रीकल्चरल रिसर्च इंस्टिट्यूट, कर्नाल के प्रबन्धन के संबंध में निहित औद्योगिक विवाद के बीच, अनुबंध में निहित औद्योगिक विवाद के केन्द्रीय सरकार औद्योगिक अधिकरण, चंडीगढ़ के पंचाट को प्रकाशन करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था।

[सं० ए०—42012/188/95-आई०आर० (डी० यू०)]

बी० एम० डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1633.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Agricultural Research Institute, Karnal and their workman, which was received by the Central Government on the 21-5-99.

[No. L-42012/188-95-IR(DU)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, CHANDIGARH
Case No. I.D. 100/91

Shri Sakura
C/o General Secretary
Agricultural Engg. Mazdoor Union
C/o Bhartiya Mazdoor Sangh Off.
Arjun Gate, Karnal (Haryana) .. Petitioner.

Vs.

The Adhyaksh,
Bhartiya Krishi Anusandhan Sansthan,
Kshetriya Station No. 1,
Karnal (Haryana) ... Respondent.

REPRESENTATIVES:

For the workman : In person.

For the management : Shri Sham Sunder.

AWARD

(Passed on 19-3-1999)

The Central Govt. Ministry of Labour vide Notification No. L-42012/188/95-I.R. (D.U.) dated 30th January 1997 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of Indian Agricultural Research Institute Karnal in terminating the service of Sh. Sakura is justified? If not, to what relief the workman is entitled?"

2. Today the case was fixed for filling of claim Statement by the workman. The workman appeared and made a statement that he does not want to pursue with the present reference as the reference has been settled amicably. In view of the above, the present reference is returned as settled. Appropriate Govt. be informed.

Chandigarh.

B. L. JATAV, Presiding Officer

19-3-1999

नई दिल्ली, 21 मई, 1999

का० आ० 1634.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एक्जीक्यूटिव इंजीनियर, सी० पी० इन्ड्यू डी०, कालीकट, के प्रबन्धन के संबंध में निम्नलिखित निर्णय को जारी करती है, जो केन्द्रीय सरकार को 21-5-99 को प्राप्त हुआ था :

[सं० ए०—42012/244/94-आई०आर० (डी० ५०)]

बी० एम० डेविड, डेस्क अधिकारी

New Delhi, the 21st May, 1999

S.O. 1634.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Labour Court, Kozhikode as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Executive Engineer, C.P.W.D., Calicut and their workman, which was received by the Central Government on 21-5-99.

[No. L-42012/244/94-IR(DU)]

B. M. DAVID, Desk Officer

ANNEXURE

IN THE LABOUR COURT, KOZHIKODE, KERALA STATE

Dated this the 25th day of March, 1999

PRESENT:—

Shri P.O. Barkath Ali, B.Sc., LL.B., Presiding Officer.

I.D. (C)1/96

BETWEEN

The Executive Engineer,
Calicut Central Division,
CPWD
9/385-P Cherootty Road,
Calicut-673 001.

... Management.

AND

Sri C. Rajan,
Ex-Serviceman,
S/o, Appukutty,
Cherayakkattu House,
F.O. Olavanna,
Calicut-673025.

... Workman.

REPRESENTATIONS:—

Sri K. P. Ashok Kumar, Addl. Government
Pleader/Addl. Public Prosecutor,
Kozhikode. ... For Management

Sri Edathodi Radhakrishnan,
Advocate, Calicut. ... For Workman.

AWARD

This is an industrial dispute between the management of Central Public Works Department, Calicut

Division and its workman Sri Rajan regarding the justifiability of the termination of the service of the workman by the management which is referred for adjudication to this court by Order No. L-42012/244/94-IR(DV) dated 28-12-1995 of Ministry of Labour, Government of India.

2. The workman in his claim statement contended thus:—The workman was employed as a Chowkidar under work charge establishment of Calicut Central Division of Central Public Works Department from October 6, 1986 till April 2, 1988 in Karipur Central Sub-Division III at Calicut Air Port. The workman is an Ex-serviceman and a nominee of the District Sainik Board, Kozhikode. When the management handed over the Air Port to National Air Port Authority he was terminated from service by order dated March 29, 1988 without any valid reason. In spite of repeated requests though the Executive Engineer promised to reinstate him in service, the worker was not reinstated. Mr. C. K. Narayanankutty who was retrenched along with the worker had been reinstated in service. The termination of the service of the workman by the management is not justifiable, illegal and amounts to victimisation. Therefore the management may be directed to reinstate him in service with backwages and other attendant benefits.

3. The Executive Engineer of the Central P.W.D., Calicut Division filed a counter statement for the management contending thus:—It is true that the workman was employed under the Calicut Central Division of CPWD and was working at Calicut Air Port. It was a temporary appointment and was for a specific work and for a specific period. He was terminated from service when Air Port was handed over to Air Port Authority. The allegation of victimisation and unfair labour practice is baseless and false. The termination of the service of the workman is in accordance with the terms and conditions of the order of appointment dated October 6, 1986. He was terminated from service because of the non existence of the post in which he worked. Therefore the claim of the workman for reinstatement is not maintainable.

4. The workman filed a rejoinder stating that the termination of his service is in violation of the provisions of Section 25F of the Industrial Disputes Act

5. The following points arise for consideration:—

(1) Whether the termination of the service of the workman by the management is legal, valid and justifiable?

(2) If not, what are the reliefs to which the workman is entitled to ?

6. WW1 was examined and Exts. W1 to W5 were marked for the workman. Exts. M1, M1(a), M1(b), Exts. M2, M2(a) to M2(f) and Exts. M3 were produced by the management. No oral evidence was adduced by the management.

7. Point No. 1.—The case of the workman as testified by him as WW1 is that he was employed as Chowkidar under the work charge establishment of Calicut Central Division of the management, CPWD, at Calicut Air Port from October 6, 1986 to April 2, 1988, that he was terminated from service from

April 2, 1988 by an order dated March 29, 1988, that termination of his service by the management is illegal and unjustifiable and is without complying with the provisions of Section 25F of the Industrial Disputes Act and that therefore the management may be directed to reinstate him in service with continuity of service, backwages and other attendant benefits. The management is the Calicut Central Division of CPWD represented by its Executive Engineer. The management admitted the employment of the workman as Chowkidar in the Calicut Air Port under the management from October 6, 1986 onwards, but would content that as the management handed over the Air Port after construction to the National Air Port Authority the workman was terminated from service which does not amount to retrenchment as defined in Section 2(oo) of the Industrial Disputes Act and that therefore the workman is not entitled to any of the reliefs prayed for. Therefore, the main question for consideration is whether the termination of the service of the workman is justified. In other words, the point to be considered is whether the termination of the service of the workman amounts to retrenchment as defined in Section 2(oo) of the Industrial Disputes Act and if so whether the management has complied with the provisions of Section 25F of the Industrial Disputes Act. For the following reasons I am inclined to hold that the termination of the service of the workman by the management is not justified and that the management should have complied with the provisions of Section 25F of the Industrial Disputes Act as the termination of the service of the workman amounts to retrenchment as defined in Section 2(oo) of the Industrial Disputes Act.

8. Firstly, it is not stated in Exts. W1, the appointment order of the workman that this appointment was only for a specific period. If the appointment of the workman was only till the management hands over the Air Port to Air Port Authority it should have been mentioned in Exts. W1. Therefore the contention of the management that the appointment of the workman was only till the management handed over the Air Port to Air Port Authority cannot be accepted.

9. Secondly, even in the order of termination i.e. Ext. W2 dated March 29, 1988 no reason is stated by the management for the termination of the service of the workman. The reason attributed for the termination of the service of the workman i.e. completion of the work of Air Port and handing it over to Air Port Authority is not mentioned in Ext. W2. Section 2(oo) of the Industrial Disputes Act provides that termination of the service of a workman for any reason whatsoever otherwise than as a punishment inflicted by way of disciplinary action amounts to retrenchment. That being so, in the present case the termination of the service of the workman without assigning any reason amounts to retrenchment as defined in Section 2(oo) of the Industrial Disputes Act.

10. Lastly, as I have found that termination of the service of the workman amounts to retrenchment as defined in Section 2(oo) of the Industrial Disputes Act the management should have complied with the provisions of Section 25F before terminating the service of the workman as admittedly he has worked continuously for more than 210 days during the

period of one year. Admittedly the management has not complied with the mandatory provisions of section 25F before terminating the service of the workman. Therefore I hold that the termination of the service of the workman is not justified and is violative of the provisions of Section 25F of the Industrial Disputes Act.

11. Point No. 2:—As I have found that the termination of the service of the workman by the management is illegal and unjustified the workman is entitled to be reinstated in service with all the attendant benefits. The management has to reinstate him in service in any one of its establishment at Calicut. As regards backwages, the workman was terminated from service on April 2, 1988. If backwages are awarded it will come to a huge amount which will cause financial burden to the management which is a Central Government establishment. Therefore I hold that workman is not entitled to any backwages. For the illegal termination of his service, I feel that a compensation of Rs. 5000 would be adequate and proper.

12. In the result, an award is passed holding that the termination of the service of the workman by the management is not justified. The management shall reinstate the workman in service in any one of its establishments at Calicut with all the attendant benefits, but without backwages. The workman is entitled to Rs. 5000 as compensation for the illegal termination of his service. The management shall reinstate him in service in any of its establishments at Calicut and pay the compensation within one month from the date of publication of this award in the official Gazette failing which the workman is entitled to full backwages from this date and also interest at the rate of 12% per annum on the compensation amount awarded from this date till reinstatement.

Dictated to the Confidential Assistant, transcribed by him, revised, corrected and passed by me on the 25th day of March, 1999.

P. Q. BARKATH ALI, Presiding Officer

APPENDIX

Witnesses examined on the side of the Management:—
NIL.

Witnesses examined on the side of the Worker:—
C. Rajan.

Documents marked on the side of the Management:

Ext. M1—Correspondence file regarding W.C. Staff for the period from 21-4-1986 to 24-1-1987 (133 Pages).

Ext. M1(a) Letter dt. 31-7-1986 No. NAA (ML)/CS-21/612-13 sent by the Aerodrom Officer, Civil Aerodrome Mangalore to the Executive Engineer, Calicut Central Division, CPWD, Calicut.

Ext. M1(b) Letter No. 10(1)/86/CLTCD/1536 dt. 10-9-1986 sent by the Executive Engineer, Calicut Central Division, Central PWD, Calicut sent to Zila Sinil Board, Calicut.

Ext. M2—Karipur General Correspondence file No. 23(1) Volume XII for the period from 27-12-1988 to 13-9-1990 (pages. 336).

Ext. M2(a) Letter No. 29-12-88-NAA dt. 30-12-1988 regarding the handing over of maintenance works to National Airports Authority.

Ext. M2(b) Letter No. 23(1) CLICD/89/170 dt. 21-4-1989 sent to Superintending Engineer, Trivandrum Central Circle CPWD, Trivandrum by the Executive Engineer, etc., Central Division, CPWD, Calicut-5.

Ext. M2(c)—Letter 23(1)89/CLTD/210 dt. 25-4-1989.

Ext. M2(d)—Letter No. 70/DGCA/7/83-CE(S2) dt. 20-3-1990 regarding the transfer of works relating to maintenance of Civil Airports from CPWD to National Airports Authority from the office of the Chief Engineer, Southern Zone of CPWD.

Ext. M2(e)—Letter No. 23(1)89/CLTCD sent by the Executive Engineer Calicut Central Division CPWD, Calicut-643005.

Ext. M2(f)—Letter No. 24(1)90/CCSD 11/83 dt. 9-7-1990 addressed to the Executive Engineer Calicut Central Division, CPWD, Calicut by the Assistant Engineer, Calicut Sub Division.

Documents marked on the side of the Workman:—

Ext. W1—Appointment order dt. 6-10-1986 issued to Sri. C. Rajan.

Ext. W2—Termination Notice dt. 29-3-1988 issued to Sri C. Rajan by the Executive Engineer.

Ext. W3—Appointment order dt. 6-12-1988 issued to Sri C. K. Narayanankutty.

Ext. W4—Copy of the Termination notice dt. 29-3-1988 issued to Sri C. K. Narayanankutty.

Ext. W5—Copy of the appointment order dt. 6-12-1989 issued to Sri C. K. Narayanankutty.

नई दिल्ली, 18 मई, 1999

क्रा० आ० 1635:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैमर्स बी० सी० सी० एल. के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम में 2 अनुवाद, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-5-99 को प्राप्त हुआ था।

[क्रा० एल० 20012/275/92-आई० आर० (सी-1)]

श्याम सुन्दर गुप्ता, डेस्क अधिकारी

New Delhi, the 18th May, 1999.

S.O. 1635.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 14-5-99.

[No. L-20012/275/92-IR(C-I)]

S. S GUPTA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.
In the matter of an Industrial Dispute under Section 10(1)(d) of the I. D. Act, 1947.

Reference No. 196 of 1993

PARTIES :

Employers in relation to the management of Mohuda Area No. 2 of M/s. BCCL and their workmen.

APPEARANCES :

On behalf of the workmen.—None.

On behalf of the employers.—None.

STATE : Bihar.

INDUSTRY : Coal

Dated, Dhanbad, the 3rd May, 1999.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/275 92-I.R. (Coal-I), dated, the 11th November, 1993.

SCHEDULE

"Whether the action of General Manager., Mohuda Area No. II of M/s. BCCL., P.O. Mahuda, District, Dhanbad in declining to accept the date of birth of Shri Ramjan Mian, Haulage Operator of Bhurungia Project as 32 years as on 23-2-81 duly recorded in Form B Register is justified? If not, to what relief is the concerned workmen entitled?"

2. In this reference none of the parties turned up before this Tribunal nor took any steps inspite of the issuance of notices to them again and again leading to an inference that no dispute is existing between the parties presently. The reference is pending since later part of 1993 and it is of no use to drag the same any more. Under such circumstances, a

'No dispute' Award is being rendered and the reference is disposed of on 'no dispute' Award basis on the presumption of non-existence of any industrial dispute between the parties presently.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 18 मई, 1999

का० आ० 1636—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी० सी० सी० एल. के प्रबन्धन के संयुक्त नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं० 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-5-99 को प्राप्त हुआ था।

[सं० एल०-20012/218/96-आई०आर० (सी०-1)]

प्रथम मुद्रण गुणा, डेस्क अधिकारी

New Delhi, the 18th May, 1999

S.O. 1636.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 14-5-99.

[No. L-20012/218/96-IR(C-1)]

S. S. GUPTA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.
In the matter of an Industrial Dispute under Section 10(i)(d) of the I. D. Act, 1947.

Reference No. 102 of 1997

PARTIES :

Employers in relation to the management of
Khas Jeenagora Colliery of M/s. B.C.C.L.
and their workmen.

APPEARANCES :

On behalf of the workmen.—None.

On behalf of the employers.—None.

STATE : Bihar.

INDUSTRY : Coal.

Dated. Dhanbad, the 3rd May, 1999.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(i)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/218/96-IR (C-I), dated, the 8th September, 1997.

SCHEDULE

"Whether the action of the management in superannuating Shri Barsha Manjhi Drill Operator from 30-6-1995 is justified? If not, to what relief is the workman entitled?"

2. In this reference none of the parties turned up nor took any steps inspite of the issuance of notices to them again and again leading to an inference that no dispute is existing between the parties. The reference is pending since 1997 and it is of no use to drag the case any more for taking steps by the parties. Under such circumstances, a 'No dispute' Award is being rendered and the reference is disposed of on 'No dispute' Award basis on the presumption of non-existence of any industrial dispute between the parties.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 18 मई, 1999

का० आ० 1637—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई० सी० एल० के प्रबन्धन के संयुक्त नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं० 2, धनबाद, के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-5-99 को प्राप्त हुआ था।

[सं० एल०-20012/200/95-आई०आर० (सी०-1)]

प्रथम मुद्रण गुणा, डेस्क अधिकारी

New Delhi, the 18th May, 1999

S.O. 1637.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. ECL and their workman, which was received by the Central Government on 14-5-99.

[No. L-20012/200/95-IR(C-1)]

S. S. GUPTA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(i)(d) of the I. D. Act, 1947.

Reference No. 96 of 1996

PARTIES :

Employers in relation to the management of
Mugma Area of M/s. E.C.L. and their
workmen.

APPEARANCES

On behalf of the workmen—None.

On behalf of the employers—None.

which was received by the Central Government on 14-5-99.

[No L-20012/18/95-IR(C-1)]

STATE : Bihar.

INDUSTRY : Coal.

S. S. GUPTA, Desk Officer.

Dated, Dhanbad, the 4th May, 1999.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/200/95-I.R. (Coal-I), dated, the 3rd September, 1996.

SCHEDULE

“Whether the action of the management in not providing employment to the dependent Sant. Paraini Majkaian, w/o Shri Kalu Manjhi No. 2 is justified? If not, to what relief is the concerned workman entitled?”

2. Soon after the receipt of the order of reference notices were duly served upon the parties. But none of the parties turned up nor took any steps. Then again and again notices were issued to them but in spite of the issuance of notices to them they both abstained from appearing before this Tribunal and taking any steps leading to an inference that presently no dispute is existing between the parties, under such circumstances, a ‘No dispute’ Award is being rendered and the reference is disposed of on ‘No dispute’ Award basis in the presumption of non-existence any industrial dispute between the parties.

B. B. CHATTERJEE, Presiding Officer.

नई दिल्ली, 18 मई, 1999

का.आ.1638:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स बी. सी. सी. एल. के प्रबन्धन के संबद्ध नियोजकों और उनके कार्यकार्यों के बीच, सम्बंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम सं.-2, धनवाद के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-5-1999 को प्राप्त हुआ था।

[सं. एल-20012/18/95-आई.आर. (सी-1)]

प्रथम सदस्य, डेस्क अधिकारी

New Delhi, the 18th May, 1999

S.O. 1638.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman,

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I. D. Act, 1947.

Reference No. 8 of 1996

PARTIES :

Employers in relation to the management of Sijua Area of M/s. B.C.C.L. and their workmen.

APPEARANCES :

On behalf of the workmen.—None.

On behalf of the employers—None.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 3rd May, 1999.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/18/95-I.R. (Coal-I), dated, the 29th December, 1995.

SCHEDULE

“Whether the action of the management of Kankanee Colliery under Sijua Area No. V of M/s. B.C.C.L. in not referring Sri Saha Bhar, Miner/Loader to Apex Medical Board for assessment of his age is justified? If not, to what relief Shri Bhar is entitled?”

2. In this reference none of the parties appeared before this Tribunal nor took any steps in spite of the issuance of notices to them again and again leading to the inference of non-existence of any industrial dispute between the parties. The reference is pending since early part of 1996 and it is of no use to drag the same year after year for taking steps by the parties. Under such circumstances a ‘No dispute’ Award is being rendered and the reference is being disposed of on ‘No dispute’ Award basis on the presumption of non-existence of any industrial dispute between the parties.

B. B. CHATTERJEE, Presiding Officer.

नई दिल्ली, 18 मई, 1999

20-6-94 is just and fair? If not, to what relief these workmen are entitled?"

का.आ. 1639.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैम्स एयर इंडिया लिमि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-5-99 को प्राप्त हुआ था।

[सं. एल-11012/75/98-(सी-I)]

श्याम सुन्दर गुप्ता, डेस्क अधिकारी

New Delhi, the 18th May, 1999

S.O. 1639.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M's, Air India Ltd. and their workman, which was received by the Central Government on 14-5-99.

[No. L-11012/75/98-(C-I)]

S. S. GUPTA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 9 of 1999

PARTIES :

Employers in relation to the management of Air India Limited.

AND

Their workmen.

PRESENT :

Mr. Justice A. K. Chakravarty, Presiding Officer.

APPEARANCE :

On behalf of Management.—None.

On behalf of the Workmen.—None.

STATE : West Bengal. INDUSTRY : Airlines.

AWARD

By Order No. L-11012/75/98-C-I dated 9-3-1999 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Air India in terminating the services of Sh. Harish Banerjee and Sh. Ashim Wag both Air Craft Toilet flusher and Sh. Pradip Mullick, Sweeper/Cleaner w.o.f. 1-3-96 and also denying them to regularise their services in terms of Clause-I & Clause-II of the conciliation settlement dated

2. When the case is called out today, none appears for the union, nor any step is taken on its behalf inspite of service of notice upon the same. It therefore appears that the union is not interested in pursuing the matter.

3. So, in the absence of any material what-so-ever on record for any decision in respect of the schedule under reference, this Tribunal has no other alternative but to dispose of the matter by passing a "No Dispute" Award.

4. A "No Dispute" Award is accordingly passed and the reference is disposed of.

This is my Award.

A. K. CHAKRAVARTY, Presiding Officer

Dated, Calcutta, the 4th May, 1999.

नई दिल्ली, 18 मई, 1999

का.आ. 1640. — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इंडियन एयर लाइंस लिमि. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-5-99 को प्राप्त हुआ था।

[सं. एल-11012/19/86-डी-II (बी)]

श्याम सुन्दर गुप्ता, डेस्क अधिकारी

New Delhi, the 18th May, 1999

S.O. 1640.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian Airlines Ltd. and their workman, which was received by the Central Government on 15-5-1999.

[No. L-11012/19/86-D-II(B)]

S. S. GUPTA, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 65 of 1988

PARTIES :

Employers in relation to the management of Indian Airlines, Calcutta

And

Their workman.

PRESENT :

Mr. Justice A. K. Chakravarty—Presiding Officer.

APPEARANCE :

On behalf of Management—Mr. R. N. Mazumder, Advocate.

On behalf of Workman—Mr. P. K. Das, the workman concerned in person.

STATE : West Bengal . INDUSTRY : Airlines.

AWARD

By Order No. L-11012/19/86-D.II(B) dated 22nd April, 1987 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Indian Airlines, Calcutta in removing Shri P. K. Das, Transport Asstt. of the Indian Airlines from his services w.e.f. 7-5-75 is justified ? If not, to what relief is Shri P. K. Das, the workman entitled ?"

2. Instant reference has arisen at the instance of Air Corporation Transport Employees' Union for removal of Shri P. K. Das, Transport Assistant of the Indian Airlines from service from 7-5-1975. Subsequently the case is contested by the concerned workman, Shri P. K. Das himself.

3. The Union's/workman's case in short, is that the concerned workman was originally appointed as a Driver in the Indian Airlines on the 27th December, 1955. Thereafter in 1970 he was promoted as Transport Assistant. On 2-5-1974 he prayed for leave upto 4th October and it was granted. That leave, however, was cancelled as there was no necessity, but the workman reserved the right to enjoy such leave as and when such leave will be necessary. On 13th June, 1974 the workman applied for 2 days casual leave i.e., 14th and 15th June, 1974 and 16th June was Sunday which was his off-day, he was to report for duty on 17th June 1974. Due to circumstances beyond his control the workman was compelled to extend his leave and the same was intimated to the officer concerned on the day of extension of such leave according to the Standing Orders and that was duly recorded in the Register (Log entry). Thereafter on 23rd June, 1974 extension of such leave was intimated to the Sectional Head, namely, the Deputy Transport Manager. He thereafter personally met and made representation to the Deputy Transport Manager and informed him about the actual position. At that time no one had either refused such leave or asked for his leave application to be submitted on any printed form. In October, 1974 he was allowed to join his duties. But a chargesheet dated 4/7 October, 1974 signed by Chief Engineer, Calcutta was issued and served on him whereby he was charged for overstaying his leave without any

intimation. The workman has denied the issuance of show cause notice in terms of the Standing Orders. He also denied the competency of the Chief Engineer to issue such chargesheet. The chargesheet was also challenged, as it was not proceeded by any written complaint. It is also alleged that the Airlines was stopped from issuing the chargesheet as he was allowed to resume his duties. The concerned workman prayed for excusing him from the charges on December, 2, 1974. The management of Indian Airlines thereafter appointed one G. S. Shivtarkar as the Enquiry Officer. The enquiry was conducted from November 20 1974 to December 23, 1974. After completion of the enquiry, the Enquiry Officer returned a verdict of guilty and submitted his report on January 3, 1975. The workman challenged the enquiry proceeding on the ground that principles of natural justice was not followed and the report of the Enquiry Officer was perverse. A show cause notice was thereafter issued by the disciplinary authority on February 4, 1975 and thereafter he was dismissed from his service from May 2, 1975 and such order was directed to be effective on May 1, 1975. The workman has challenged the competency of the Chief Engineer to issue the dismissal order. The concerned workman thereafter moved a petition for stay of the operation of the dismissal before the Regional Director of the said Airlines. But, there being no response, he obtained Civil Rule No. 17315(W) of 1975 and sought to draw the attention of the Central Government to reduce his hardship and redress his distress. He withdrew his writ petition thereafter. The order for review of the case from the Ministry of Civil Aviation also failed to yield any effect and the Airlines by their letter dated February 15, 1980 refused him any relief. The matter was thereafter referred to the union which raised an industrial dispute and the conciliation having failed the matter came up before this Tribunal for adjudication by way of this reference. The workman accordingly prayed for his reinstatement with full back wages.

4. In the written statement filed by the Indian Airlines it is alleged that the sponsoring union being neither recognised union nor having appreciable or substantial number of employees as their members is not entitled to espouse the cause of the concerned workman. It is also alleged that as far back as on September 9, 1976 the workman has accepted all his final dues inclusive of his terminal benefits such as gratuity Provident Fund and in fact, has accepted the order removing him from service and as such he is estopped from challenging the order of his removal. It is also alleged that the concerned workman having allowed his leave application to be dismissed for non-prosecution, must be deemed to have accepted the order of removal. The management has further alleged that on 27th December, 1955 the concerned workman joined the service as Driver and was placed the then Grade-III/6 as Transport Assistant with effect from 29-12-1971 and prior to his removal from service he was holding that post. On 13-6-1974 the concerned workman applied for two days casual leave with effect from 14-6-1974 suffixing the Sunday which was 16th June, 1974 and which was also his weekly off-day. He was expected to return to his

duties on Monday the 17th June, 1974 which he did not do and continued to remain absent from duty upto October, 1974 without duly intimating his Sectional Head and for that chargesheet was issued on 4/7-10-1974 by the Chief Engineer of the Indian Airlines for misconduct as per Clause 16(b) read with Clause 16(8) of the Standing Orders as applicable, namely, "Absence without leave for more than 8 consecutive days and overstaying the sanctioned leave, without ground or satisfactory explanation within a week from the date of termination of the leave sanctioned." and "Breach of Standing Orders or any law or laws applicable to the establishment" respectively. It is the further case of the Airlines that pursuant to such initiation of the disciplinary proceeding a departmental enquiry was held to enquire into the charges levelled against the workman and Shri Shivarkar the then Superintendent, Maintenance Division was appointed as the Enquiry Officer and in that enquiry the workman was given every opportunity to defend himself and he was allowed the assistance of a friend as per provisions of the Standing Order. It is also alleged that on the basis of the materials available before him, the Enquiry Officer found the concerned workman guilty of the charges levelled against him and thereafter the Chief Engineer, who was the disciplinary authority, on careful examination of the report of the Enquiry Officer and the available documents connected with the findings at the enquiry asked the concerned workman to show cause by letter dated 4th February, 1975 as to why he should not be removed from service. The concerned workman by his letter dated 21st February, 1975 submitted his explanation to the said show cause notice to the Chief Engineering Manager, who was re-designated as Chief Manager. The Chief Manager, upon careful consideration of the representation of the workman and his past records of service by his letter dated 2-5-1975 confirmed the order of removal and communicated the same to the concerned workman and made the order effective from 7-5-1975. The concerned workman thereafter preferred an appeal against the order of punishment which was also rejected. The concerned workman thereafter also preferred an application for review of the appeal to the Managing Director of the Airlines against the penal order which again was duly considered by the Deputy Managing Director as the Reviewing Authority and rejected the same. The management also alleged that the order imposing punishment and the confirmation of the same in appeal and review thereafter being bonafide, the Tribunal should not interfere in the matter.

5. The workman thereafter filed a rejoinder against the allegations of the management in their written statement and also asked for some interim relief. The prayer for interim relief was opposed by the management and it was directed that the prayer for interim relief will be considered after the decision of the preliminary issue regarding the validity of the enquiry proceeding. The management thereafter filed a petition raising preliminary objection regarding maintainability of the reference and it was directed that objections regarding those preliminary points will be considered in the proceeding in respect of the validity of the domestic

enquiry. The concerned workman filed another rejoinder on 13th September, 1989 which was replied by the management by its further rejoinder dated 16th November, 1989.

6. My learned predecessor, vide his order dated 12th October, 1992 disposed of all the points regarding validity of the domestic enquiry, maintainability of the reference and the prayer for interim relief. He found the domestic enquiry vitiated due to non-compliance of the principles of natural justice. The preliminary point regarding maintainability of the reference was rejected upon due consideration and the prayer for interim relief was also rejected as the workman had already retired from service. In the said order an opportunity was given to the management to establish its case on merits and on evidence in accordance with law.

7. Pursuant to the said order of this Tribunal, the management examined two witnesses, namely, MW-3 K.M.A. Koshie and MW-4, K. B. Ganashan. No witness, however, was examined by the workman. Since the management is to prove its case independently that it had rightfully removed the concerned workman from service, the onus is upon it to prove the same. Non-examination of any witness on behalf of the workman shall not ensure to any benefit of the management in this matter.

8. Before discussions of the evidence adduced by the management in this matter, it is necessary to note that none of the witnesses examined the management has any personal knowledge about the facts leading to the removal of the concerned workman from service. Mr. Mazumdar, learned Advocate for the management submitted that in view of the long passage of time since 1975 when the concerned workman was dismissed from service, it was not possible for the management to get the evidence of any person having personal knowledge in the matter.

9. MW-3, K.M.A. Koshie who is now employed as Deputy Manager, Personnel Service of the Indian Airlines and posted at Calcutta proved the chargesheet against the concerned workman, marked E.1. M-1. He proved the signature of the Chief Engineer in the said chargesheet. He also proved a letter dated 2-7-1974 as part of Ext. M-1 as signed by Major M.C. Malhotra as he knows his signature. It is true that there is a letter of Major M.C. Malhotra dated 2-7-1974 which is a typed copy of the original letter. It is not possible to understand how his signature be proved by the witness when the original was never produced. He also stated that he knows that the data given in the report was compared with the leave record, but the leave record was not produced before the Tribunal. He also deposed that an enquiry was held against the concerned workman. The show cause notice and the order of punishment were also shown to him. He admitted that he has no personal knowledge in the matter. He was cross-examined on the point that the Chief Engineer was not competent authority to initiate the proceeding. MW-4, K.B. Ganashan is the Deputy Manager, Personnel. He proved the application of the concerned workman for appointment in the Indian Airlines. He also proved

certain papers in respect of incidents taking place before the present incident. He also stated that he has no personal knowledge in the matter. He was also questioned in the cross-examination about the competency of the Chief Engineer. The evidence stated above being all about the justification or validity of removal order, it is necessary to scan such evidence for the purpose. It may be true as Mr. Mazumder has stated, that long time has passed since the occurrence of the incident leading to the removal from service of the concerned workman, still then, as the management is bound to prove the justification of such removal afresh as the enquiry proceeding has been held to be invalid, there must be sufficient evidence to prove the same. In the instant case, I have already stated in details the evidence adduced by the management after the enquiry proceeding was held to be invalid by this Tribunal. As a matter of fact, MW-3 and MW-4 never stated in their evidence that the concerned workman remained absent from duty without leave. Neither any witness, nor any material was produced before the Tribunal for examination of the facts and circumstances occurring before or after the taking of leave by the concerned workman after 17th June, 1974. It was not also explained as to why the management kept quiet for such a long time after the concerned workman was alleged to have remained on unauthorised leave. The management's case being that he remained absent from 17th June, 1974 without any prayer for leave and chargesheet having been issued on 4/7 September, 1974, it is difficult to believe that the management of the Indian Airlines kept quiet for a period of about 3 months without taking any action against him for has unauthorised absence from duty. As per Clause 16(6) of the Standing Order the management is entitled to proceed against its employees if there is unauthorised absence for more than 8 consecutive days. No reason was shown why this action was not taken on the expiry of 8 consecutive days.

10. Be that as it may, in the absence of any material on record what-so-ever to satisfy this Tribunal about the justification for the removal of the concerned workman on merit, this Tribunal has no other alternative but to hold that the management has hopelessly failed to prove any justification for its action against the concerned workman. Even assuming that the management had sufficient justification for removing the concerned workman from service, still then, the punishment of dismissal from service inflicted upon him being shockingly disproportionate to the offence of unauthorised absence from duty. The management, in my opinion, has not acted properly. It may be that in the past he had committed certain offences, but none of these offences can be said to be a moral turpitude. The management, therefore, was not justified in inflicting the harshest punishment of removal from service upon the concerned workman considering the nature of the offence.

11. Mr. Mazumder, learned Advocate for the management however, submitted that the claim of the workman is a stale one in as much as the industrial dispute was raised by him on 2nd April, 1987 even though he was dismissed from service with effect from 7-5-1975. It must be remembered in this connec-

tion that after his dismissal from service the workman tried desparately to get his removal order set aside by preferring appeal and review. It is not also disputed that he filed writ petition before the High Court for redressal of his grievances. Even after the dismissal of the writ petition for non-prosecution, the concerned workman also tried to move the Government as it will appear from his written statement. Having failed to get any relief, the workman moved the conciliation machinery for redressal of his grievances. It is therefore clear that the workman was not keeping quiet after his dismissal from service and he was desparately moving different forums for redressal of his grievance. In the said circumstances, the delay in raising the industrial dispute cannot be said to be excessive. Law of limitation having no application in industrial adjudication, the right of the workman cannot be taken away on the ground of some delay in raising the industrial dispute.

12. So, upon consideration of the facts and circumstances of this case, evidence on record as well as the position of law in the matter, I am to hold that the management has hopelessly failed to justify its action of removal of the concerned workman from his service with effect from 7-5-1975. The concerned workman accordingly shall be entitled to get all his back wages from the date of his removal from service on 7-5-1975 till the date of his superannuation on 31-1-1988 and he shall be entitled to all his retirement benefit as if he has retired from service on 31-1-1988.

This is my Award.

A. K. CHAKRAVORTY, Presiding Officer
Dated, Calcutta,

The 6th May, 1999.

नई दिल्ली, 19 मई, 1999

का.आ. 1641:- औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसर्गण में, केन्द्रीय सरकार मैसर्स बी. सी. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं-2, धनबाद के पंचाट को प्रकाशित करती करती है, जो केन्द्रीय सरकार को 18-5-1999 को प्राप्त हुआ था।

[सं. एल-20012/113/95-आई.आर. (सी-I)]

इयाम सुंदर गुप्ता, डेस्क अधिकारी

New Delhi, the 19th May, 1999

S.O. 1641.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 18-5-99.

[No. L-20012/113/95-IR (C-I)]

S. S. GUPTA, Desk-Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT:

Shri B. B. Chatterjee, Presiding Officer

In the matter of an Application under Section

10(1)(d) of the I.D. Act, 1947

REFERENCE NO. 36 OF 1996

PARTIES :

Employers in relation to the management of
Patherdih Colliery of M/s B.C.C.L. and
their workmen.

APPEARANCES :

On behalf of the workmen : None.

On behalf of the employers : None.

STATE : Bihar INDUSTRY : Coal.

Dated, Dhanbad the 10th May, 1999

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/113/95-I.R.(Coal-I), dated, the 19th March, 1996.

SCHEDULE

"Whether the Union's demand for the revision of the material lowering rates of trammers by the management of Patherdih Colliery w.e.f. 1-1-87 is justified? If so, to what relief are the trammers entitled to?"

2. In this reference none of the parties appeared before this Tribunal nor took any steps inspite of the issuance of notices to them again and again. The reference is pending since 1996 and it is of no use to drag the same any more. Under such circumstances, a 'No dispute' Award is being rendered and the reference is being disposed of on 'No dispute' Award basis on the presumption of non-existence of any industrial dispute between the parties.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 19 मई, 1999

का.आ. 1642:— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सैसर्स जेट एयरवेज के प्रबन्धतंत्र के संबंध में निम्नलिखित औद्योगिक विवाद में औद्योगिक अधिकरण कोझिकोड के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-5-99 को प्राप्त हुआ था।

[सं.एल-11012/30/97-आई.आर. (सी-1)]

श्याम सुंदर गुप्ता, डी.एस. अधिकारी

New Delhi, the 19th May, 1999

S.O. 1642.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Kozhikode as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Jet Airways and their workman, which was received by the Central Government on 18-5-99.

[No. L-11012/30/97-IR(C-I)]

S. S. GUPTA, Desk Officer

ANNEXURE

IN THE COURT OF THE INDUSTRIAL
TRIBUNAL, KOZHIKODE

(Dated this the 31st day of March, 1999)

Present :

Shri M. N. Radhakrishna Menon, Industrial
Tribunal.

I. D. 29/97 (C)

BETWEEN

1. Shri T. K. Hassan,
Contractor,
Jet Airways (PO) Calicut Air Port.
Kondotty.
2. The General Manager,
M/s. Jet Airways (I) Ltd., 29,
Mavoor Road, Calicut-673 016.

AND

The Secretary,
Calicut Airport, Employees Union
(INTUC),

(PO) Calicut Airport, Kondotty.

Representations :

Shri M. Asokan, Advocate, Kozhikode.—For 1st
Management.M/s. Menon & Pai, Advocates, Ernakulam,
Kochi-682 018.—For 2nd Management.Shri P. C. Girish, Advocate, Malapuram.—For
Union.

(1) The Government of India as per their order No. L-11012/30/97-IR(C1) dated 14-8-1997 referred this industrial dispute for adjudication to this Tribunal. The issue referred for adjudication is the following :—

"Whether the action on the part of the contractor Shri T. K. Hassan of M/s. Jet Airways (PO) Calicut Airport in terminating the services of Sri Abdul Razak, Abdul Rasheed, Ravichandran, M. Mohammed Ali, Babu, C. P. Sulfikar, T. Somasundaran, K. P. Yousuf, K. Usman and A. Victor is legal and justified? If not, to what relief are these workmen entitled?"

(2) The claim of the Union is that there were 14 workers doing the job of loaders in Jet Airways from 7-5-93 continuously and without any break of service. Initially, their wages was Rs. 40 per day which was later increased to Rs. 60/- per day in 1994 pursuant to a settlement arrived at between the Union and the management. The wages was paid by the 2nd management through 1st management. On 20-11-96, the managements have terminated the services of 10 loaders without giving any notice or without assigning any reason. It is arbitrary and is done in violation of principles of natural justice. These workers were discharging their duties efficiently and in obedience to the instructions given by the managements and their managers. They used to certify their hard working nature in the certificates issued to National Air Port Authority, Calicut Airport, Karipur.

(4) The work of loaders is of permanent nature and the above ten workers were engaged from 7-5-93 to 19-11-96 without any break in service. The second management employed these workmen and provided uniforms, shoes and raincoats etc. The second management submitted applications to grant identity card/pass/temporary permit for the loaders from time to time to the National Air Port Authority and after police verification, temporary permits were issued to each of the workers. This indicates that the workers were controlled by the second management. The working environment was smooth and efficient.

(5) The first management used to harass the loaders and therefore, they have represented to the Bombay office of the second management seeking redressal of their grievances. But no positive steps were taken by them in this regard. On 20-11-96, the first management and the manager of the second management orally intimated that the services of ten workers were terminated. But no reasons were intimated to adopt such a course of action by them.

(6) Aggrieved by the above, the union has raised an industrial dispute and initiated conciliation proceedings. In the conciliation, the first management alleged loss of faith and misconducts as reason for their termination of services and offered them alternative employment. The allegations are false and they are raised with ulterior motives. The matter could not be settled and thus it has emerged in the present reference. The Union concluded their pleadings praying for passing an award directing the managements to reinstate the workers with continuity of service and back wages.

(7) The case of Shri T. K. Hassan, the 1st Management is that he has entered into an agreement with the 2nd management for carrying out certain works specifically mentioned in the said agreement on 3-5-93. The works so entrusted are bringing of the baggages to the checking counters and to load and unload them and also to clean the air craft etc. The entire works will take 1 to 1-1/2 hours only on a day. M/s. Jet Airways had only one flight to and from Bombay till 19-9-97. From 19-9-97 onwards, they have started operating one more flight. The workers were paid Rs. 60/- per day taking into account of the quantity of work done by them and also the fact that the workers are getting themselves engaged in other works independently outside the air port. There were

no permanency or regularity in the matter of engaging these persons. Such of the persons who were available and who were entitled to get passes were engaged by the 1st management and they were paid daily. The workers were thus getting work for 2 to 3 years though intermittently. Gradually, they became enmity towards the 1st management and they lost their loyalty towards him. They had even started planning ways and means to see that the agreement between the 1st management and the 2nd management is cancelled and to get the contract to them directly from the 2nd management. For achieving these objects, they even started committing very serious misconducts with a view to cause financial loss and loss of reputation to the 1st management. The 1st management was constrained to bring the misconducts to the notice of the Calicut Air Port Jet Airways Employees Union (INTUC) represented by its President, Mr. Nissar, Punalhithil. But the Union was not in a mood to find reason in the complaints made by the 1st management and therefore no successful discussions took place between the Union and the 1st management and ultimately the 1st management was constrained to issue a letter dt. 19-11-96 to the Union. With a view to cause loss of reputation to the 1st management, the workers have indulged in serious misconducts such as intentional delaying of the flights, omitting to collect the entire baggages, misbehaviour to the supervisors and also to the staff of the Jet Air Ways and Air Port authority etc. It is true that the management has engaged workers referred to as Nos. 1, 4 to 8 and 10 in the reference till 20-11-96 only. Nos. 2, 3 and 9 were engaged till 25-11-96 only. These 3 persons committed very serious misconducts of leaving the baggages without handling the same to the flight. In order to work in the air port area, passes are required. Since the passes of the above workers were withdrawn by the 2nd management, the first management cannot be blamed for their disengagement from 25-11-96 onwards. The Union or the workers are not entitled to any reliefs as claimed in the claim statement. The management has lost confidence in these 10 workers and he cannot be asked to continue to engage them for work. They are not regular or permanent employees. They have absolutely no vested right to claim employment under the 1st management. If at all it is found that they have got any vested right to employment, since they have committed very serious misconducts and have caused loss of confidence, they cannot be reinstated. The management also seeks for an opportunity to prove the misconducts alleged against the workmen. Therefore, the first management concluded their pleadings praying for passing an award holding that the workmen are not entitled to any of the reliefs sought for in their claim statement.

(8) The case of M/s. Jet Air Ways (I) Ltd., the second management is that the dispute is between the workmen and M/s. T. K. Hassan and there was no dispute or difference between M/s. Jet Air Ways and their employees. Thus M/s. Jet Air Ways was wrongly entered as a party to the reference. Admittedly, the employees concerned in this reference were the employees of the 1st management contractor and they are therefore not workmen in respect of the principal employer, 2nd management within the meaning

of Section 2(s) under the Industrial Disputes Act. The employees as well as the Union have clearly accepted that the workers covered by the reference are employees of M/s. T. K. Hassan. There is no employer-employee relationship between the workers covered in the reference and the 2nd management. The 2nd management has executed a contract with M/s. T. K. Hassan Associates for ground handling services, which is not a main or substantial work or a perennial or full time work. Therefore, the 1st management was engaged as a contractor to do the above works. This is in accordance with the industry wide practices prevailing in the Air line industry. Since there was no privity of contract of employment between the concerned workmen and the management, they are not responsible for their employment or termination. Whatever claims they have got, they can agitate against Shri T. K. Hassan and not against them. The second management concluded their pleadings praying that the claims made against them may be rejected and an award may be passed accordingly.

(9) Evidence in this case consists of oral evidence of WWs. 1 and 2 and MWs. 1 and 2 and Exts. W1 to W3, Exts. M1 to M15 and Ext. XI.

(10) From the rival contentions of parties, the issues that arise for my consideration are whether the termination of services of 10 workers is legal and justified. If not, to what relief they are entitled.

The Point :

(11) Ext. M12 is an agreement dated 3-5-93 executed between Sri T. K. Hassan and M/s. Jet Air Ways, the first and second management parties to the reference. As per this agreement M/s. Jet Air Ways has appointed Sri T. K. Hassan as their contractor to carry out certain works and operations of loading unloading, aircrafts cleaning etc., etc. This agreement obligates the contractor to execute the above works engaging his own workers. It is the responsibility of the contractor to observe all statutory and contractual obligations in respect of the persons employed by him in this regard. It is his further responsibility to supervise the workers and efficient performance of all works set out in the contract. Ext. M12 agreement was executed on 3-5-93 and it was in force for 2 years Exts. M13 and M14 are similar agreements executed for the subsequent periods and it is common case that even at present, there is binding agreement in force between the parties in this regard.

(12) On a perusal of the above agreements, it is evident that the status of Sri T. K. Hassan, the first management is that of a contractor and the status of M/s. Jet Air Ways, the second management is that of the principal employer. It is also evident that the loaders involved in this dispute were recruited and employed by Sri T. K. Hassan, the contractor and the first management in this case. It is admitted by the WWs. 1 and 2 that they have been recruited and paid wages by the contractor. In view of this arrangement, the loaders can be treated as employees of the contractor and not that of the principal employer viz., M/s. Jet Air Ways. Even though the union has pleaded that M/s. Jet Air Ways as well as T. K.

Hassan are the employers of the loaders and attempted to tender some evidence in this direction, at the time of arguments, the counsel for the union has clearly conceded that in view of the subject matter of reference and the facts of the case they cannot claim any employment relationship with M/s. Jet Air Ways and they cannot make them responsible for the termination of employment of the 10 workers covered by the reference. Even otherwise, the materials on record clearly indicate that the 1st management is the contractor who employed the 10 workers and the 2nd management is only the principal employer. The termination is effected by the contractor and not the principal employer. Therefore, M/s. Jet Air Ways the principal employer cannot be made to answer their claims raised in this dispute as per Industrial Law.

(13) In the written statement submitted by the 1st management, the employer-employees relationship between the 10 loaders involved in this reference and himself stands clearly admitted. It is also admitted that these 10 workers were employed for 2 to 3 years though intermittently. It is also admitted that the services of the workers viz., S/Sri Abdul Razak, M. Mohammed Ali, Babu, C. P. Sulfikar, T. Somasundaran, K. P. Yousuf and A. Victor were terminated on 20-11-96 and the services of workers viz., S/S. Abdul Rasheed, Ravichandran and K. Usman were terminated on 25-11-96. It is admitted by the 1st management that he has been employing these workers from May, 1993 till the above dates. It is the contention of the management that their engagement was intermittent. The management has a duty to maintain attendance register as per the contract and as per the provisions of Contract Labour (Regulation and Abolition) Act, 1970. But he has not done it. He has not produced any evidence either oral or documentary to make out that their employment was intermittent. WW1 and WW2 have clearly testified that their employment was continuous and uninterrupted. Their testimony is not controverted in any manner. In view of the above, it has to be concluded that the employment of the 10 workers were continuous and uninterrupted and thus they have derived continued right of employment.

(14) It is accepted by the first management that he has terminated the services of 7 workers on 20-11-96 and 3 workers on 25-11-96. But he has not produced any order in writing setting out the reasons for their termination and he has no case that he has issued any such orders in this regard. It is arbitrary and unreasonable. The management has in their written statement set out that loss of confidence and misconducts were the reasons leading to the termination of services of the ten workmen. It is their contention that the workers have indulged in serious misconducts with a view to cause financial loss and loss of their reputation. They have indulged in certain activities so as to snatch the contract directly for them. So the first management has lost confidence in them. Thus the misconducts and the loss of confidence are reasons advanced in support of the termination of service of the ten workers before this Court.

(15) Exts. M12 to M14 contracts obligate T. K. Hassan the contractor to be available at the air port at all times of the arrival and departure of the air

craft in advance and make him responsible in the performance and execution of all works such as loading, unloading, plying the vehicles etc. So he is the most competent person to testify about the disloyal conducts and misconducts allegedly indulged in by the workers. But he has chosen not to mount the witness box and give testimony in support of his pleadings. An opportunity for the workmen to test the veracity of his pleadings is also lost once and for all. Thus it is a vital omission on the part of the first management. No explanation much less any cogent explanation is pointed out by him in this regard. Therefore it can only be concluded that this omission is purposeful.

(16) Another aspect to be noted is that the 1st management has levelled several allegations against the workers in their written statement. But the allegations are general and omnibus in nature. They are not specific with regard to the individuals involved, the date and time of occurrence involved etc. The allegations are not precise and their material particulars are conspicuously absent. So it will not be possible for the workers to effectively defend the said allegations. While the workers were in service, it is common case that no memo setting out any allegation was issued to any of the workers involved in this dispute. All these will indicate that the said allegations are weaved out for the purpose of this case.

(17) It is vehemently argued by the counsel for the first management contractor that the workers have pressed hard on the second management to entrust the work directly to themselves after cancelling the agreement between the first management and second management. These conducts on the part of the workers have inculcated loss of confidence in the first management and therefore, they are justified in terminating their services. Ext. M10 representation submitted by the loaders dated 3-8-96 to the management of Jet Air Ways is pressed into service in support of his above line of arguments. These contentions are refuted by the counsel for the Union. I have considered the rival contentions in the light of materials on record. Ext. M10 is a photocopy of the representation submitted by the contract workers working for M/s, Jet Airways to the management of Jet Air Ways. Recital portion of the representation is extracted below :—

“Respected Chairman,

We are obliged to submit the following for your kind considerations and favourable early actions.

1. For the last two years we were working under a contractor for a meagre amount of Rs. 40/- per day. Any other favours or remuneration of any kind is not obtained from our contractor. Even the monthly wages are paid late between 10th to 15th of the month. Not only that the contractor is used to grant leave for many loaders at a time, without keeping sufficient persons to carry out the loading works. Even with the limited number of loaders, the flights are cleared with out any delay due to loading and unloading.

2. In days of delayed flights, we were not paid for our meals of the day.
3. We are very co-operative with the contractor and company in every aspect. Even then, the contractor threatened as with termination to accommodate another batch, without any reason. In this situation, we are forced to come under the banner of a labour union to safeguard our rights against the misdeeds of the contractor.
4. We are poor labourer, coming from distant places, only to work and earn for the lively food of us and our family members.
5. Considering the above difficulties faced by the loaders from our contractor, we humbly request you to observe us as permanent loaders of the company, to avoid further exploitations of labourers by the contractor.
6. If, the company is coming forward to post us or permanent loaders of the company, to avoid further exploitation, we are ready to dissolve the Union and obey the laws abide by the company and work hard to satisfy our superiors and for the progress of the company in every aspect.

Thanking you,

Yours obediently.”

(18) On a scrutiny of the above, it is seen that the workers have set out their grievances with regard to their conditions of service under the contractor and as a redressal of their grievances, they seek their absorption as permanent workers of the Jet Airways. It is pertinent to note that the contractor, the first management has not taken any steps to controvert the grievances and allegations raised against the contractor. It is a legitimate right of the contract workers to bring their grievances to the notice of the principal employer and seek their redressal. It is the primary responsibility of the contractor to look after the legitimate interests of the contract workers and if he commits any default, the principal employer shall look after it. That is the spirit of Contract Labour (Regulation and Abolition) Act, 1970. Approaching the principal employer by the contract workers for redressing their grievances cannot be treated as a disloyal conduct on their part so as the contractor to lose confidence in them. Hence the argument of the counsel for the first management as to loss of confidence is not acceptable to me. It has to be concluded that the first management has failed to establish his plea of loss of confidence against the ten workers.

(17) It has been vehemently argued by the counsel for the 1st management that 7 workers viz., Abdul Razak, Victor, Mohammed Ali, Babu, Sufikar, Somasundaran and Yousuf were conducting themselves in such a manner that the 1st management and their supervisors were finding it extremely difficult to carry on the works as per the contract. It is proved that this aspect is made out from the evidence of MW1 and Exts. M1 to M9 and therefore, their termination is legal and proper. These arguments are refuted by the counsel for the Union.

(18) I have scrutinised the evidence of MW1 and Exts. M1 to M9. Sri Punathil Nissar, then President of the Calicut Air Port Jet Air Ways Employees Union was examined as MW1 before me. He has testified before me that Shri T. K. Hassan has intimated several complaints against the workers and they were sorted out by mutual negotiations then and there. Apart from this, no specific misconduct with regard to any of the workers is made out from the evidence of MW1. Ext. M1 is a letter of T. K. Hassan dated 8-7-96 issued to Calicut Air Port Jet Air Ways Employees Union, (INTUC) setting out that the above 7 workers are behaving in an unbecoming manner and requesting the Union to advise them to behave properly. Ext. M2 is a letter of the Union dated 12-7-96 wherein the Union has refuted the allegations. Ext. M3 is a letter of T. K. Hassan to the Union reiterating the allegations and requesting the Union to advise them to behave properly. Ext. M4 is a reply of the Union dt. 25-7-96. It is set out in the said letter that after receiving their letter, the Union had detailed discussions with the 7 workers and they have denied the entire allegations contained in the letter of the contractor. It is the stand of the Union that the allegations are raised due to some misunderstanding between the workers and Sri. T. K. Hassan. However, they have advised the workers to maintain better and healthy relationship with the employer. It is also set out in the said letter that the Union would like to discuss the matter in person so as to clear the suspicions of Sri. T. K. Hassankoya.

(19) Ext. M5 is a letter of T. K. Hassankoya dated 29-7-96 issued to the Union. Sri T. K. Hassankoya has volunteered to hold a discussion on 1-8-96. He has also sought the presence of 7 workers at the time of discussion. So he has requested the union to arrange a discussion on 1-8-96. Ext. M6 is a reply of the Union to Sri T. K. Hassankoya. The Union wants a change in date of discussion from 1-8-96 to 8-8-96. Ext. M7 is another letter of the Union dated 5-8-96 setting out that on 8-8-96 will be inconvenient for them to hold the discussion. The discussion is thereafter fixed at 12-9-96. Ext. M8 is a letter dated 15-10-96 of T. K. Hassankoya to the Union. It indicates that discussions were held on 12-9-96 and there was some change in the attitude of 7 workers for about a few days. It is their complaint that they have again started making troubles. Ext. M9 is a letter of Sri T. K. Hassankoya dated 19-11-96 issued to the Union. It is set out in the said letter that the 7 workers have started indulging in misbehaviour. Therefore, he will be constrained to take steps to safeguard his interest. I have scrutinised the evidence of MW1 and Exts M1 to M9. The first management has raised certain allegations against the 7 workers before the Union to which the workers belonged to. Even though the management has raised several allegations against the workers, their material particulars are not set out in the letters sent to the Unions. The materials on record indicate that the management has got certain complaints and allegations against the conduct of the workers and they wanted to use the good office of the Union and get it corrected and amended. For invoking the good offices of the Union, the allegations set out in the letters addressed to the Union may be sufficient. But

in order to incriminate them with regard to the allegations and punish them, the allegations must be precise and it shall contain all relevant material particulars. It is pertinent to note that these allegations are not accepted by the Union. In view of the evidence of MW1 and Exts. M1 to M9, it cannot be concluded that the workers have indulged in any misconduct and their termination of service is sustainable. It is the contention of the 1st management that the workers have misbehaved with the 1st management and his supervisors. The 1st management has chosen to not to enter the witness box and testify about his case. None of the supervisors is also examined by him to make out his pleadings. Suffice to say, the 1st management has failed to make out their case with regard to the allegations of misconducts levelled against the workers.

(21) The counsel for the 1st management has relied on Ext. M11 letter of M/s. Jet Air Ways and argued that 3 workers viz., Mr. Ravichandran, Abdul Rasheed and Usman have indulged in very serious misconducts and therefore, their termination is legal and justified.

(22) Ext. M11 is a complaint lodged by M/s. Jet Airways against 3 loaders namely K. Ravichandran, Abdul Rasheed and Usman attached to Mr. T. K. Hassankoya. The complaint is that on 20-11-96 they did not attend to the loading work and deserted the place of work. This has caused missing of baggages of passengers which was revealed when the flight reached Bombay only. They had to send the baggages by the next day flight. This has caused inconvenience to the passengers and loss of reputation to the Jet Airways.

(23) It is common case that the first management has terminated the services of above 3 workers orally from 25-11-96. Before terminating their services, no opportunity was given to them to know the allegations against them and explain their stand with regard to the said allegations. No termination order setting out the reasons for termination is also issued to them. It is for the first time in the written statement submitted before this Court that it is set out that their services were terminated due to the misconducts indulged in by them.

(24) Ext. M11 cannot be accepted as proof of the allegations against the three workers but it can at the best be accepted that the second management has got certain complaints against them. The first management has not made out the allegations by adducing necessary evidence in this regard. Therefore the argument of the counsel for the 1st management that as per Ext. M11, they have made out the allegations against the three workers cannot be accepted by me.

(25) It is common case that it requires valid pass issued by Air Port Authority for the loaders to work in the Air Port area. The passes in respect of loaders are obtained by the Jet Airways and kept with them. These passes are issued everyday based on the list of workers submitted by the contractor. It is argued by the counsel for the first management that the 2nd management is at liberty to withhold the passes of the

loaders whom they did not like. The second management has accordingly withheld the passes of the 10 workers who have indulged in very serious acts of indiscipline and therefore they cannot be mulcted with any liability for their non-employment. I am not impressed by this argument. The first management has clearly admitted that they have orally terminated the services of 7 workers on 20-11-96 and three workers on 25-11-96 for loss of confidence and acts of indiscipline. It indicates that there was a belligerent act from his part which has led to the non-employment of 10 workers covered by the present reference. It is not due to the non-receipt of passes from 2nd management that they were not employed further. It is clearly testified by Sri Thomas Mathew, Manager, Jet Airways, Calicut as MW2 that even in cases where workers have indulged in misconducts, they will issue passes if the contractor insists. Therefore, the question of pass is raised by the management as a camouflage to cover the arbitrary denial of employment to the ten workers. On a scrutiny of the materials on record, it is evident that the termination of services of the ten workers is illegal, arbitrary, unfair, unreasonable and violation of principles of natural justice. First, the contractor has implemented his decision to terminate the services of 10 workers and later he has tried to fish out some reasons to justify his action in which he has miserably failed. He has pleaded loss of confidence and misconduct as reasons for termination of services of 10 workers and sought for opportunity to make out the same. But he has not made out either of the pleas by adducing cogent evidence. Therefore, the termination of services of the ten workers cannot be sustained. Consequently the workers are eligible to reinstatement with continuity of service, back wages and all consequential benefits available to them as per law. It is the admitted case of the contractor that he has not maintained any attendance register. This will create problem while working out back wages. In order to avoid further disputes in this regard and to render justice between the parties, the contractor is directed compute back wages and related benefits on the assumption that the 10 workers have worked for 20 days in a month during the period they were kept out of employment illegally.

26. In the result, an award is passed holding that the action of the contractor Shri T. K. Hassan of M/s. Jet Airways in terminating the services of S/S. (1) Abdul Razak, (2) Abdul Rasheed (3) Ravi-chandran (4) M. Mohammed Ali (5) Babu (6) C.P. Sulfiyar (7) T. Somosundaran (8) K. P. Yousuf (9) K. Usman and (10) A. Victor is not legal and justified. Hence the workers concerned are eligible to reinstatement with full back wages, continuity of service and all consequential benefits available to them as per law. Sri T. K. Hassan is therefore directed to reinstate the above workers forthwith with full back wages continuity of service and all other benefits available to them as per law. Since the employer has not maintained any attendance register, back wages and related benefits shall be worked out on the basis that the workers have worked for minimum 20 days in a month.

M. N. RADHAKRISHNA MENON.

Industrial Tribunal

APPENDIX IN I.D. 29/97(C)

Witnesses examined on the side of the Union :

WW1 : P. Ummer.

WW2 : Somasundaran.

Witnesses examined on the side of the Management:

MW1 : Nissar Punathil.

MW2 : Thomas Mathew.

Exhibits marked on the side of the Union :

Ext. W1 : Resignation letter of Punathil Nissar dt. 1-11-96.

Ext. W2 : Letter of C. Ramakrishnan of Jet Airways to the Sub-Inspector of Police, Manjeri.

Ext. W3 : Failure of conciliation report dated 19-5-97.

Exhibits marked on the side of the Management:

Ext. M1 : Letter of Hassan Associates dt. 8-7-96.

Ext. M2 : Letter of Nissar Punathil of Calicut Airport Jet Airways Employees Union, (INTUC), dt. 12-7-96.

Ext. M3 : Letter of Hassan Associates dt. 18-7-96.

Ext. M4 : Letter of Nissar Punathil, Calicut Airport Jet Airways Employees Union (INTUC), dt. 25-7-96.

Ext. M5 : Letter of Hassan Associates dt. 29-7-96.

Ext. M6 : Letter of Nissar Punathil, Calicut Airport Jet Airways Employees Union (INTUC), dt. 30-7-96.

Ext. M7 : Letter of Nissar Punathil, Calicut Airport Jet Airways Employees Union (INTUC), dt. 5-8-96.

Ext. M8 : Letter of Hassan Associates dt. 15-10-96.

Ext. M9 : Letter of Hassan Associates dt. 19-11-96.

Ext. M10 : Letter of Jet Airways loaders to the Chairman, Jet Airways dt. 3-8-96.

Ext. M11 : Letter of Jet Airways dated 24-11-96

Ext. M12 : Agreement dated 3-5-93 between M/s. Jet Airways and Sri T. K. Hassan-koya.

Ext. M13 : Agreement dated 12-5-95 between M/s. Jet Airways and Sri T. K. Hassan-koya.

Ext. M14 : Agreement dated 10-12-96 between M/s. Jet Airways and Sri T. K. Hassan-koya.

Ext. M15 : Letter of Hassan Associates dated 26-11-96.

Ext. X1 : Letters regarding issuing passes to the workers between Jet Airways and Airport Authority. (One file).

नई दिल्ली, 19 मई, 1999

का.आ. 1643.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुच्छेद में, केन्द्रीय सरकार मसर्स बी. सी. सी. एल. के प्रबन्धन के संबंध निोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिग्रहण सं-2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-5-99 को प्राप्त हुआ था ।

[सं. एल-20012 /184/ 91-आई.आर.- (सी-1)]

श्याम सुंदर गुप्ता, डेस्क अधिकारी

New Delhi, the 19th May, 1999

S.O. 1643.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 19-5-1999.

[No. L-20012/184/91-IR(C-1)]

S. S. GUPTA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

Reference No. 123 of 1991

PARTIES:

Employers in relation to the management of Bastacolla Colliery of M/s. BCCL and their workmen.

APPEARANCES:

On behalf of the workman—Shri R. N. Ganguly, Advocate.

On behalf of the employers—Shri B. Joshi, Advocate.

STATE : Bihar. INDUSTRY : Coal.

Dated, Dhanbad, the 10th May, 1999

AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/184/91-I.R. (Coal-I), dated, the 25th November, 1991.

SCHEDULE

“Whether the action of the management of Bastacolla Colliery of M/s. Bharat Coking Coal Ltd. P.O. Jharia, Dist. Dhanbad in dismissing Sri Rajendra Singh from the services of the company w.e.f. 14-5-89 is justified? If not, to what relief the workman is entitled?”

2. The concerned workman has made out a case in the written statement to the effect that he was employed as a Miner/Loader by the General Manager, Bastacolla of M/s. BCCL by letter No. BCC|IX|6-A|81|VRS|Bast|1395 dt. 10-5-81 on the basis of an application filed by his father Sri Kanderu Singh under Voluntary Retirement Scheme introduced by the management. The concerned workman has filed the photo copy of that letter by showing as Annexure-A. Such appointment was offered to the workman in verification of his bio-data and on being satisfied by the management.

3. That the concerned workman continued in his employment by subsequently serving as Driller at Bastacolla colliery to the satisfaction of the management without any complaint from any corner.

4. That the concerned workman was served with a chargesheet after 9 years of such satisfactory service levelling allegations against him of theft, fraud or dishonesty in connection with company's business or property and for furnishing false information about his name, father's name etc. and was placed under suspension vide Annexure 'B'.

5. That the workman submitted reply to the chargesheet giving answer to the allegations levelled against him vide Annexure-C but the management was not satisfied with the answer and conducted a perfunctory enquiry with their own executive against the workman. The concerned workman participated in the enquiry and adduced evidence in support of his defence, oral and documentary which however received no consideration of the Enquiry Officer who, in fact, concluded the enquiry without giving a proper hearing to the concerned workman for which the workman filed an application on 16-12-88 addressing the same to the C. K. Pandey, Dy. P. M. vide Annexure-D.

6. That the management on the basis of the enquiry report dismissed the concerned workman by their letter No. BCC|BCC|23|89|1805 dt. 10|14-5-89 vide Annexure-E.

7. That the concerned workman did not receive any subsistence allowance during the period of his suspension which is a circumstance showing the biasness of the management.

8. That the concerned workman made several representation against the order of dismissal but to no purpose for which the concerned workman was left

with no other alternative than to raise an industrial dispute before the ALC(C), Dhanbad. A conciliation proceeding started but due to the adamant attitude of the management the attempt for conciliation ended in failure for which a failure report was submitted although the workman also prayed before the ALC(C) for voluntary arbitration vide Annexure-I but to which the management did not agree.

9. That the Central Govt. in the Ministry of Labour having found sufficient merit in the dispute has been pleased to refer the dispute to this Tribunal for adjudication registered as Ref. Case.

10. The workman in view of the aforesaid facts has prayed for an award in his favour by holding the disciplinary proceeding to be not fair and proper, to set aside same, and also for holding that the order of dismissal passed against him was not at all legal as well as for an order directing the management to reinstate the workman with full back wages.

11. The management side as against the written statement of the workman also submitted a written statement-cum-rejoinder wherein the management has challenged the legality of the reference and has made out a case which may be stated as follows:

12. That the concerned workman is named Sri Rajendra Sao son of Kisun Sao and resident of village Naitand, P. S. Harhi, P.O. Barsat, Dist. Hazaribagh who entered into service by posing himself as Rajendra Singh, son of Kandru Singh of village Arrah, P.O. Arrah, P.S. Arsa Dist. Purulia under voluntary retirement scheme introduced by the management for a limited period during the year 1981.

13. That one workman named Kandru Singh was working as Miner/Loader in the year 1981 who submitted an application on 29/30-8-80 for his voluntary retirement from service on providing the concerned workman Rajendra Singh on declaring him to be his son. The concerned workman submitted several false documents for the purpose of providing that he is the son of Kandru Singh. The management accepted those document under bonafide belief and offered appointment to the concerned workman by letter dt. 10-5-81 under V.R.S. which was in force at the material time on accepting the resignation letter submitted by Kandru Singh.

14. The concerned workman upon such appointment continued working but in the year 1988 one workman named Kesho Saw son of Barhan Saw of Chandmari Colliery, Dist. Dhanbad reported to the CMD by letter dt. 11-5-88 by sending copies of the S.P. CBI and Area Manager of Area No. IX, Bastacolla Coal washery that the concerned workman is named Rajendra Saw son of Kisun as of the address mentioned above has procured the appointment by false personification by claiming himself to be Rajendra Singh son of Kandru Singh of a village of Furulia, Dist. of West Bengal. It was stated that the workman Kandru Singh was offered a sum of Rs. 14,000 for the purpose of describing the concerned workman as his son dependent on him so that he might be appointed in his place which in fact took place. The management on examining relevant papers issued a chargesheet dt.

10-9-88 to the concerned workman for commission of misconduct of theft, fraud, dishonesty in connection with the company's business or property and for giving false information regarding ones name, father's name qualification etc. at the time of employment although the concerned workman in his reply dt. 14-9-88 denied the allegations levelled against him.

15. That Sri C. K. Pandey, Sr. Personnel Officer was appointed Enquiry Officer and Sri B. M. Bhardwaj Dy. Personnel Manager of Bastacolla colliery a presenting officer under the signature of the Dy. Chief Mining Engineer who was the Agent of Bastacolla Colliery under the Mines Act. The concerned workman appointed Sri Nagina Paswan, Attendance Clerk, as Co-worker. The Enquiry was conducted in presence of the chargesheeted worker and his co-worker by giving full opportunity to cross-examine the witnesses of the management to examine witness in defence and to produce documents for which no objection as to the fairness etc. of the proceeding of the domestic enquiry was raised by the concerned workman or his co-worker.

16. The enquiry officer submitted his report on 29-11-88 holding the concerned workman guilty of the charge of misconduct.

17. It is also the case of the management that a lady named Phulmoni Kamin was working at Bastacolla colliery in 1985. She died on 14-6-85. She was the wife of Kandru Singh. All application was submitted for employment of Sri Haldhar Singh son of late Phulmoni Kamin by giving the particulars of the family of said lady worker wherein Sri Kandru Singh was shown as husband, Sri Haldhar as son and Smt. Santi Devi as Daughter. The said Haldhar submitted an affidavit duly sworn by Sri Kandru Singh on 12-7-86 in support of the genuineness of the claim and prayed for offering appointment to his only son Haldhar because of his old age as dependent of his deceased wife Phulmoni Kamin. The Enquiry Officer took into consideration all these facts as well as the complaint etc. and held the chargesheeted workman to be guilty of the charge.

18. That the report and connected papers were examined by the Competent Authority and the G.M. [Chief Mining Engineer of the Area approved dismissal of the concerned workman and the workman was dismissed by letter dt. 10/14-5-89.

19. That the action of the management in dismissing the concerned workman is legal, bona fide and justified and the concerned workman is entitled to no relief.

20. In addition to the case made out in the W.S. the management has also submitted comments in respect of different paras of the W.S. of the workman except in respect of paras 1, 4, 5, 6 and 9 as matters of record.

21. In respect of the contents of para 2 of the W.S. the say of the management is that those are not fully correct as the concerned workman named Rajendra Sao assumed the name Rajendra Singh and thereby posed himself to be the son of Kandru Singh and secured appointment as miner/loader by submitting false certificates.

22. In respect of the contents of para 3 of the W.S. the say of the management is that those are not fully correct. The declaration submitted by Kandru Singh

was accepted by the management in good faith which was supported by affidavit etc. and appointment was offered to the concerned workman but with the proviso that in case the declaration certificate etc. are found false the appointment would be treated as invalid.

23. Similarly the contents of para 7 of the W.S. are not correct. The management did not accept the explanation submitted by the concerned workman to be satisfactory and constituted a departmental enquiry which was conducted according to the principles of natural justice. The allegations that the enquiry was perfunctory etc. are devoid of merit.

24. The contents of para 8 of the W.S. also are not fully correct. The workman fully participated in the enquiry and he was given full opportunity to adduce evidence in support of his defence. The allegation made otherwise of fixing or intimating date of further enquiry etc. are baseless. The letter dt. 16-12-88 is an afterthought. The dismissal was rightly approved by the management.

25. The contents of para 10 also are not fully correct. The concerned workman did not get his attendance marked for getting subsistence allowance or submit any complaint to the Agent or Dy. C.M.E. of Bastacolla colliery stating his grievance of not getting such allowance.

26. The contents of para 11 of the W.S. are not fully correct. It is incorrect to say that the action of the management was mala fide and that the dismissal was unjustified.

27. The content of para 12 of the W.S. are incorrect so far allegations of adamant attitude of the management as the cause of failure of the conciliation attempt etc. are concerned.

28. The contents of para 13 of the W.S. are also incorrect. The dispute has no merit for consideration and the concerned workman is not entitled to any relief.

29. The workman side has also submitted rejoinder as against the written statement of the management in which no comments have been made in respect of the contents of paras 1, 9, 10, 13, 14, 15, 16 and para 20 to 30 of the W.S. but submitted for strict proof of the contents of those paras except of para 1 by the management.

30. The workman side has denied the contents of para 2 of the W.S. and claimed that the reference is legally maintainable.

31. The contents of paras 3 and 4 are not in order and the management may be put to the strict proof of the same but so far application dt. 29/30-8-80 of Kandru Singh for his voluntary retirement and request for employment of his son Rajendra Singh are concerned those are not only approved but acceded to by the management.

32. The contents of para 5 of the W.S. are matters of record at the disposal of the management of which

the management is quite aware and there was no irregularity in continued employment of Rajendra Singh after due verification of all aspects.

33. The contents of para 6 are also not in order and denied.

34. The contents of paras 7 and 8 so far the allegations of misconduct in the charges are concerned those are not specific rather vague and without any rational basis.

35. The workman side has denied the claim of the management of giving full opportunity of adducing evidences in course of the proceedings of the departmental enquiry as stated in paras 11 and 12 of the W.S. including the claim of conducting the enquiry according to the principle of natural justice.

36. The workman side has also denied the claim of the management in para 19 of the W.S. that the dismissal of the concerned workman was legal, bonafide, and justified and has such the concerned workman is entitled to be reinstated with full back wages.

37. The workman has therefore once again prayed for an award in his favour in terms of the his prayer in the Written Statement.

38. The point for decision is whether the concerned workman Rajendra Singh is entitled to an order for reinstatement upon a finding that the order of dismissal passed against him by the management of Bastacolla colliery of M/s. BCCL is not justified and thereby an Award in his favour.

DECISIONS AND REASONS

39. In this reference there are certain facts over which there is no dispute. Those facts that one Kandru Singh whom the concerned workman claims to be his father was an employee under M/s. BCCL who submitted his resignation in the year 1981 under V.R.S. with prayer for absorbing his only son Rajendra Singh and the resignation so submitted was accepted by providing the concerned workman with employment on the basis of declaration and testimonials furnished by the concerned workman including an affidavit. There is also no dispute that while the concerned workman after obtaining appointment was serving under BCCL for about 9 years, he was placed under suspension and served with a chargesheet on receipt of a complain from one Kesho Sao alleging assumption of title by the concerned workman from "Sao" to "Singh" thereby posing himself to be the son of the erstwhile workman Kandru Singh who went on V.R.S. for which a domestic enquiry was stated. Then again there is also no dispute that in the domestic enquiry the Enquiry Officer found the concerned workman to be guilty of misconduct and his dismissal on being approved by the appropriate authority was removed from service by way of dismissal. Now the question is for the purpose of deciding the above point whether there was any false representation by the concerned workman by way of assumption of the title from "Sao" to "Singh" and thereby posing himself to be the son of erstwhile employee Kandru Singh for the purpose of procuring employment under V.R.S. for which allegedly a money

transaction took place to the extent of Rs. 14,000. The reference was heard on preliminary point for the purpose of deciding fairness and propriety of the domestic enquiry and that point was decided in favour of the concerned workman by Order No. 23 dt. 29-10-93 with liberty to the management to lead evidence on merit and for which both parties adduced evidence in support of their respective cases. The claim of the concerned workman that there was never any false representation or any sorts of misconduct for the purpose of procuring employment by posing himself as the son of Kandru Singh, the erstwhile employee of M/s. BCCL who went on V.R.S. On the other hand the claim of the management is that the concerned workman is named Rajendra Sao and he is a resident of village in the district of Hazaribagh but for the purpose of procuring employment he paid a sum of Rs. 14,000 to Kandru Singh and obtained a declaration etc. from him showing to be his only son for which the management on good faith offered him employment on the belief that he is Rajendra Singh, the only son of erstwhile employee Kandru Singh. The management has adduced oral evidence by examining two witnesses name Santosh Kumar Verma who is MW-1 and Halder Singh son of Kandru Singh who is MW-2. The evidence of MW-1 is that he was looking after the case on behalf of the management for which he was aware of the facts of this case. He has stated about issuance of chargesheet against the concerned workman, about submission of application by Kandru Singh in the form of resignation to avail the benefit of V.R.S. by providing his son Rajendra Singh with employment that the concerned workman is actually named Rajendra Sao son of Kesho Sao and that he managed a declaration form from Kandru Singh showing him to be his son for the purpose of employment under V.R.S. This is the sum and substance of the evidence of MW-1 during his examination-in-chief. He has also stated how Halder Singh son of Fulmoni Kamin who is none but the wife of Kandru Singh was appointed in his mother's place who died in harness on the basis of the concerned letter of Kandru Singh who was not in a position to accept employment because of his old age in place of his deceased wife. The witness has also proved certain document like chargesheet, identification certificate, papers relating to domestic enquiry etc. During his cross-examination the witness admitted that he was serving in Bastacolla colliery from 1991 for which he has no personal knowledge about the incident but he came to know about the facts of the case in course of dealing with the same. The witness has, however, expressed his ignorance during such cross-examination if Kesho Sao deposed presumably in course of domestic enquiry that he never complained against the concerned workman to the C.M.D. The witness has thus deposed in respect of certain facts over which as I have already stated earlier there is no dispute. The evidence of this witness thus is practically of little help to the management for the purpose of proving the alleged misconduct of the concerned workman of assuming the title of "Singh" from "Sao", for the purpose of posing himself as son of erstwhile employee Kandru Singh with a view to procure employment under M/s. BCCL.

40. Next witness examined on the side of the management is Halder Singh i.e. son of Fulmoni Kamin

who as I have already stated is none but the wife of Kandru Singh. This witness did not support the management rather he claimed during his examination-in-chief that he has got brother named Rajendra Singh begotten by his mother Fulmoni while Futli Devi is their sister as daughter of Fulmoni. Naturally the management prayed before the Tribunal to declare the witness hostile and sought for permission to cross-examine the witness. The witness was declared hostile and permission was granted. The witness stood cross-examined at length on the side of the management but in fact the nothing came out in course of such cross-examination to impeach the witness or to improve the case of the management for the purpose of proving the allegation of misconduct of impersonification by way of false representation by the concerned workman.

41. On the other hand the concerned workman has examined himself only as W-1 in support of the statement of demand of W.S. and in doing so he has claimed that his father was an employee of Victory colliery who obtained retirement under V.R.S. and that the witness was appointed in place of his father as his dependent son. He was confirmed in the service after Police verification and worked there from the year 1981 to 1987. Thereafter he was stopped from his duties on the allegations that he was not the genuine son of Kandru Singh. He was also chargesheeted and domestic enquiry took place in which he participated but in that enquiry the charges were said to be established resulting in an order of dismissal which is not at all justified. During his cross-examination the witness admitted that his father Kandru Singh is a permanent resident in a village of District Purulia named Ayodhaya where he never visited. His father had another residence at Jambad where of course the witnesses visited and that he would be in a position to show voter's list wherein his name finds mention. During cross-examination the witness expressed his inability to say the year in which the voter's list was prepared wherein the name of this witness is appearing. The certified copy of the said voter's list was filed and it was suggested to the witness that the witness got his name entered in the voter's list after the order of dismissal passed against him to which the witness denied. The witness also denied the suggestion that he claimed to be son of Kandru Singh on payment of a lump sum amount and got the appointment. These are the oral evidence adduced by the respective parties in support of their cases. In addition to these as I have already stated earlier a domestic enquiry was held against the concerned workman and papers relating to such enquiry were produced and admitted in the evidence during the hearing of the reference on preliminary point. Perusal of those papers shows that those are containing statement of Keso Sao as well as of others and perusal of the same also shows that such Keso Sao on the basis of whose alleged complaint the concerned workman was chargesheeted as not at all supported the management in course of his examination in the domestic enquiry. It is true that the management has provided two persons namely the concerned workman and another Halder Singh by paternal and maternal description although according to the management even in case of service by parents if both of them retire under V.R.S. or in case of death during

service only one son is entitled to be appointed in place of both. But in the instant case two persons namely the concerned workman and MW-2 Halder Singh have been appointed in place of father and mother respectively. The charge of false representation as it is evident on record and from the materials available in the domestic enquiry proceedings has not at all been proved as such the issuance of chargesheet cannot be said to be justified. Apart from that I find from the report of the Enquiry Officer that although Keso Sao the so called complainant did not support the management by admitting the alleged complaint, the Enquiry Officer came to the finding that the concerned workman any how managed him but without any basis. The second point of which importance was given was that Rajendar Singh was not in a position to speak Bengali language which is to my mind is of no importance specially in case of a person, if brought up in an area other than Bengal as has been claimed by the concerned workman although the enquiry officer gave importance to the fact that Halder Singh and his sister Putli Devi know Bangla language. Then again importance was placed upon the failure of Rajendra Singh to give the name of father-in-law of his younger brother. I fail to understand how a person can be held to be guilty of impersonification if he fails to give father-in-law's name of his brother, and lastly that Kandru Singh was not in a position to tell the name of the place where marriage of Rajendra Singh took place as well as the name of his father-in-law. All these inabilities cannot be treated to be sufficient to come to a finding that there was false representation and thereby assumption of the title of "Singh" from "Sao" by the concerned workman for the purpose of procuring employment as dependent of erstwhile employee Kandru Singh who went on V.R.S. In absence of any other evidence I am unable to hold that the order of dismissal passed against the concerned workman was justified. The result is that the concerned workman is entitled to an order for reinstatement and that too with full back wages by an Award in his favour in terms of his prayer in the W.S. The Award is being rendered accordingly and the reference is disposed of on contest. The management is directed to reinstate the concerned workman Rajendra Singh and pay full back wages within 3 months from the date of publication of the Award in the Official Gazette.

This is my Award.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 19 मई, 1999

का.आ. 1644 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मैसर्स बी.सी.सी.एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं-2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-5-99 को प्राप्त हुआ था।

[सं. एल-20012/213/94-आई.आर. (सी-I)]

श्याम संंदर गुप्ता, डेस्क अधिकारी

New Delhi, the 19th May, 1999

S.O. 1644.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 18th May, 1999.

[No. L-20012/213/94-IR(C-I)]

S. S. GUPTA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. B. Chatterjee, Presiding Officer.
In the matter of an Industrial dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 68 OF 1995

PARTIES :

Employers in relation to the management of B.C.C.L.
Their workmen.

AND

APPEARANCES :

On behalf of the workmen—None.

On behalf of the employers—None.

STATE : Bihar.

INDUSTRY : Coal.

Dated, the 11th May, 1999.

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012(213)/94-I.R.(Coal-I), dated the 19th April, 1995.

SCHEDULE

"Whether the action of the General Manager, Barora Area No. 1 of M/s. BCCI, P.O. Nawagarh (Dhanbad) in denying to promote Shri S. K. Rewari Clerk Gr. III to Clerk Gr. II is justified? If not, to what relief is the concerned workman entitled?"

2. In this reference none of the parties turned up before this Tribunal nor took any steps in spite of the issuance of notices to them again and again leading to an inference that no industrial dispute is existing between the parties. The reference is pending since 1995 and it is of no use to drag the same any more. Under such circumstances, a 'No Dispute' Award is being rendered and the reference is disposed of on 'No Dispute' Award basis on the presumption of non-existence of any industrial dispute between the parties.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 19 मई, 1999

का.आ. 1645 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स बी.सी.सी.एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2, धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-5-99 को प्राप्त हुआ था।

[सं. एल. 24012/(54)/85-ओ.आई.बी.-(बी)]

श्याम सुन्दर गुप्ता, डेस्क अधिकारी

New Delhi, the 19th May, 1999

S.O. 1645.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workman, which was received by the Central Government on 18th May, 1999.

[No. L-24012/(54)/85-D.IV(B)]

S. S. GUPTA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri B. B. Chatterjee, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

REFERENCE NO. 167 OF 1985

PARTIES:

Employers in relation to the management of D. G. Project, Bhowra Area No. II of M/s. B.C.C. Ltd. and their workmen.

APPEARANCES:

On behalf of the workmen—None.

On behalf of the employers—None.

STATE: Bihar.

INDUSTRY: Coal.

Dated, Dhanbad, the 5th May, 1999

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-24012(54)/85-D.IV(B), dated, the 3rd December, 1985.

SCHEDULE

"Whether the action of the Management of D.G. Project Tealpora of Bhowra Area No. II of M/s. BCCL, P.O. Bhowra, District Dhanbad in not regularising S/Shri I. D. Singh, G. S. Yadav and B. L. Prasad as Fitter and S/Shri P. C. Manjhi and P. Dedraj as Electrician in Category IV is justified? If not, to what relief the workmen are entitled?"

2. In this reference both the parties appeared and filed their respective W.S. documents etc. The case then proceeded along its course. But at the stage of evidence both the parties abstained from appearing before this Tribunal and taking further steps even after issuance of notices to them again and again leading to an inference that no dispute is existing between the parties presently. The reference is pending since 1985 and it is of no use to drag the same year after year. Under such circumstances, a 'No dispute' Award is being rendered and the reference is being disposed of on 'No dispute' Award basis on the presumption of non-existence of any industrial dispute between the parties.

B. B. CHATTERJEE, Presiding Officer

नई दिल्ली, 27 मई, 1999

का.प्रा. 1646:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में केन्द्रीय सरकार ओ.एन. ज.सी. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्दिष्ट औद्योगिक

विवाद में औद्योगिक अधिकरण, गुजरात के पंचाल को प्रकाशित करती है, जो केन्द्रीय सरकार को 5-5-99 को प्राप्त हुआ था।

[सं. एल-30012/25/97-आई.आर. (सी-1)]

श्याम सुन्दर गुप्ता, डेस्क-अधिकारी

New Delhi, the 27th May, 1999

S.O. 1646.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Gujarat as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of ONGC and their workman, which was received by the Central Government on 5-5-99.

[No. L-30012/25/97-IR(C-I)]

S. S. GUPTA, Desk Officer

ANNEXURE

BEFORE SHRI P. R. DAVE, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL (CENTRAL), AHMEDABAD.

Reference (ITC) No. 54 of 1999.

ADJUDICATION BETWEEN:

O.N.G.C., Mehsana & Ors. ... First party.

AND

The workmen employed under it. ... Second party.

APPEARANCES:

Shri A. S. Kapoor, learned Representative for the Second party.

AWARD

By an Order No. L-30012/25/97-I.R. (C1) dtd. 9-11-98/1-3-99, the Desk Officer, Labour Ministry, Govt. of India, New Delhi has referred an industrial dispute as stated in the Schedule of above order between the above parties u/s. 10(1) of the Industrial Disputes Act, 1947 for adjudication to this Tribunal.

Before the reference can be heard and finally disposed of, Shri A. S. Kapoor, learned Representative for the Second party has submitted vide Ex. 9 that present reference is duplicate and is already registered as ITC No. 105/98 and was done as per orders of H. C. of Gujarat in Spl. CA No. 10324 of 1998 and, therefore, the matter be treated as closed being 'duplicate'. D. M. (IR), ONGC, Mehsana for First party has noted the

contents of above Ex. 9. In the result, I pass following order :—

ORDER

The present reference is treated as closed being 'duplicate' in view of the facts stated vide Ex. 9 and it is disposed of accordingly with no order as to costs.

N. D. Shah, Secretary,

Ahmedabad, 10th May, 1999.

P. R. DAVE, Presiding Officer

नई दिल्ली, 17 मई, 1999

का.प्र. 1647:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार ए. एन. जेड. ग्रिन्डलेस बैंक, कलकत्ता के प्रबंधन के संबंध में निदेशकों और उनके कर्मचारियों के बीच, अन्वय में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-5-1999 को प्राप्त हुआ था।

[नं. एन-12012/264/95-आई. प्रार. (बी-1)]

सनतान, डेस्क अधिकारी

New Delhi, the 17th May, 1999

S O 1647.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure in the industrial dispute between the employers in relation to the management of ANZ Grindlays Bank, Calcutta and their workman, which was received by the Central Government on 14-5-1999.

[No. L-12012/264/95-IR(B.I)]

SANATAN, Desk Officer.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 32 of 1996

PARTIES :

Employers in relation to the management of ANZ Grindlays Bank.

AND

Their workman.

PRESENT :

Mr. Justice A. K. Chakravarty, Presiding Officer.

APPEARANCE :

On behalf of Management.—Mr. P. S. Sen gupta, Advocate with Ms. R. Mukherjee, Advocate, Mr. R. N. Jhunjunwala, Advocate and Mr. G. C. Chakraborty, Advocate.

1608 GI/99—17

On behalf of Workman.—Mr. M. S. Dutta, Advocate.

STATE : West Bengal. INDUSTRY : Banking.

AWARD

By Order No. L-12012/264/95-IR(B.I), dated 29-10-1996 the Central Government in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of ANZ Grindlays Bank, Calcutta in terminating the services of Sh. Mridul Kanti Sen-gupta w.e.f. 2-1-1978 is justified? If not, what relief the workman is entitled to?"

2. The concerned workman Mridul Kanti Sen-gupta having been dismissed from service of M/s. ANZ Grindlays Bank on 2-1-1978 on the basis of a domestic enquiry, the present reference was made to this Tribunal for a finding whether such dismissal from service was justified.

3. On 17-2-1977 the workman was served with a chargesheet and the management of the Bank being not satisfied with his reply in respect of that charge-sheet, appointed one N. J. Cama as an Enquiry Officer to hold a domestic enquiry against the charges levelled against him. The workman has alleged that the domestic enquiry was held on different dates and he duly attended the said enquiry and that neither any documentary nor any oral evidence was produced to prove the charges. The Enquiry Officer, however, wrongly found him guilty on 26-12-1977 without any material on record. The workman challenged the said enquiry proceeding as illegal and invalid. The workman was dismissed from service on the basis of the said enquiry report. The Bank, thereafter, filed an application under section 33(2)(b) of the Industrial Disputes Act, 1947 for approval of such dismissal and this Tribunal by its order dated 20-4-1981 approved such action. A separate criminal case was started against him in the Court of the 10th Metropolitan Magistrate, Calcutta and that Court acquitted the workman from the charges on 19-5-1994. After his acquittal the concerned workman requested the Bank for his reinstatement but that request having been turned down, a formal industrial dispute was raised before the Regional Labour Commissioner(C), Calcutta on 10-4-1995 which ultimately ripened in the present reference. The workman has prayed for his reinstatement with back wages in this case.

4. The management of Grindlays Bank in its written statement alleged that the workman was dismissed from service after he was found guilty of the charges enumerated in the chargesheet. The Bank alleged that the enquiry proceeding was conducted properly upon strict conformity with the rules of the principles of natural justice. It is also alleged that there was no need to examine any other witness as the concerned workman admitted his guilt unequivocally before the Enquiry Officer. He thus having been found guilty, the disciplinary authority dismissed him from service. It is also alleged that the findings of the Criminal Court in respect of the guilt of the concerned workman has got nothing to

do with the findings made by the Enquiry Officer in the enquiry proceeding. The management accordingly prayed for dismissal of the case of the workman.

5. This Tribunal by its order dated 4-1-1999 held that the legality and validity of the domestic enquiry is not liable to be challenged as the enquiry proceeding was fairly and properly conducted. Parties were also directed to make their submission in respect of the quantum of punishment imposed upon the concerned workman under section 11A of the Industrial Disputes Act, 1947 (in short the Act).

6. Heard Mr. P. S. Sengupta, learned Advocate appearing for the management and Mr. M. S. Dutta, learned Advocate appearing for the workman.

7. In the instant case, the concerned workman was dismissed from service with effect from 2-1-1978. The dismissal order was followed by an application 33(2)(b) of the Act and this Tribunal by its order dated 12-5-1981 allowed the said application and approved the order of dismissal passed by the management. The management also having lodged a FIR in respect of the same matter, Case No. GR/739/78 was started between the State and Mridul Sengupta and others. That case was disposed of by an order dated 19-5-1994 and the concerned workman along with others were acquitted of the charges levelled against them. An industrial dispute thereafter having been raised by the concerned workman the present reference was made on 29-10-1996.

8. Mr. Dutta, learned Advocate for the workman submitted for the first time at the time of argument before this Tribunal that the order of dismissal passed against the concerned workman is not valid and proper as the order of dismissal was signed by an officer who was not competent to discharge the concerned workman. Mr. Dutta referred to paragraph 13 of the written statement of the workman where it was categorically stated that the person who issued the dismissal order had no power to issue the same. In the written statement of the management it was stated that after the disciplinary authority imposed the punishment of dismissal he appealed against the said order before the appellate authority of the Bank and that appeal was dismissed. Whatever might have been pleaded by the parties about the competency of the disciplinary authority to impose the punishment of dismissal from service, this question was not even raised at the time when the parties were directed to adduce evidence about the legality and validity of the domestic enquiry. If the workman was so keen to challenge the competency of the punishing authority. It could have raised that point at that time. Instead of doing that Mr. Dutta, learned Advocate for the workman wanted the Tribunal to direct the management to produce evidence about the competency of the punishing authority, ignoring the specific provisions of Section 11A of the Act that no fresh evidence shall be admissible. Mr. Dutta drew my attention to the case of Hindustan Brown Boveri Ltd. vs. Their workmen & Ors., reported in 1968 I L.J. 571 and submitted that since this point was taken at the stage of argument, the onus lies upon the management to prove that the

authority which issued the dismissal order had the requisite power to do the same. In this case though the question was raised by the workman at the stage of argument, the Labour Court considered that matter and expressed its views on the same. On that basis it was held that the Company ought to have proved such competency of the authority. Here, in this case, this objection was raised for the first time before this Tribunal after passage of about 22 years. There were number of proceedings as stated above and in none of these proceedings any objection was taken by the workman in the matter. It is true that the workman in his written statement had took specific objection in the matter, but pleading being no proof and in the absence of any evidence from the workman challenging the authority of the officer who issued such dismissal order, he cannot be allowed to agitate that question at the time of argument under section 11A of the Act when the main question for consideration is the quantum of punishment. It is true that on the point of legality and validity of the domestic enquiry the right authority of the person who issued the dismissal order cannot be considered, but if the workman has taken such point in the written statement, it is his duty to appeal before the Tribunal to allow him such an opportunity to adduce evidence on such point which though not relevant for the purpose of consideration of the quantum of the punishment, but necessary for judging the legality and validity of such order of dismissal. That being not done in the instant case the order of punishment is not liable to be challenged as without jurisdiction.

9. Next submission of Mr. Dutta is that the workman having been acquitted of the same charges levelled against him in the enquiry proceeding that he shall be entitled to reinstatement. My attention was drawn to the judgment of the learned Criminal Court wherefrom it will appear that the prosecution having failed to prove the alleged charges by production of necessary documents and witnesses that the concerned workman along with others were acquitted. Mr. Sengupta, learned Advocate for the management submitted that the case being between the State and the concerned workman along with others, the Bank had nothing to do in the matter and their exoneration from the charges does not necessarily mean that the concerned workman was not guilty of the offences which were alleged against him. It was the duty of the investigating agency to seize proper documents for production before the Court and examine proper witnesses for the purpose, but that having not been done in the criminal case, the concerned workman alone with others were to held not guilty. Such failure on the part of the State agency cannot be of any help to the concerned workman. It should also be remembered that the management is always entitled to hold departmental proceeding against any of its employees irrespective of the fact of the existence of any criminal case or its outcome in the matter. The fact of exoneration of the concerned workman from the criminal charges therefore, cannot have any impact upon otherwise properly held departmental proceeding.

10. I shall now come to the last point, namely, whether the management of Grindlays Bank was justified in imposing the harshest punishment of dismissal from service upon the concerned workman.

Consideration of this question leads directly to the consideration of the fact whether the punishment is commensurate with the offences committed by the concerned workman. Mr. Sengupta, learned Advocate for the management referred to the clear admission of the concerned workman in the enquiry proceeding where he not only admitted the commission of offence of defalcation of about rupees three lakhs, but also admitted how the money was spent by him. The question being whether on the admitted commission of such offence any lesser punishment can be awarded to the workman.

11. I may refer to certain decisions in this matter. In the case of *Municipal Committee, Bahadurgarh v. Krishnan Behari & Ors.*, reported in (1996) 2 S.C.C. 714 a Clerk of the Municipality was alleged to have misappropriated a sum of Rs. 1548.78 p. by falsifying the accounts. He was convicted by both the trial court and the appeal court. It was held by the Hon'ble Supreme Court on such fact that "..... In a case of such nature—indeed, in cases involving corruption—there cannot be any other punishment than dismissal. Any sympathy shown in such cases is totally uncalled for and opposed to public interest." Two other cases relate to Bank employees. In the case of *Tara Chand Vyas v. Chairman & Disciplinary Authority & Ors.* reported in (1997) 4 S.C.C. 565 it was held by the Hon'ble Supreme Court that "..... Every employee/officer in the bank should strive to see that banking operations or services are rendered in the best interest of the system and the society so as to effectuate the object of nationalisation. Any conduct that damages, destroys, defects or tends to defeat the said purposes resultantly defeats or tends to defeat the constitutional objectives which can be meted out with disciplinary action in accordance with rules. Lost rectitude in public service is lost and service becomes a means and source of unjust enrichment at the cost of the society." In the case of *Union Bank of India vs. Vishwa Mohan*, reported in (1998) 4 S.C.C. 310 it was held by the Hon'ble Supreme Court that "It needs to be emphasised that in the banking business absolute devotion, diligence, integrity and honesty needs to be preserved by every bank employee and in particular the bank officer. If this is not observed, the confidence of the public depositors would be impaired." It is therefore, clear that the banking business specially cannot put up with corruption since it deals with public money. Corruption, in any form in such business therefore, requires its weeding out mercilessly. Any employee or officer of the bank indulging in corrupt practices accordingly is to be dealt with severely as such persons is not only a menace to the management but to the society at large. That being so, the concerned workman having admittedly defalcated a large amount of money for a long period of time. He is not entitled to any compassionate view of the matter regarding punishment and the punishment imposed by the management, in my opinion, was quite justified.

12. In this connection, I may refer to the case of *C.M.C. Hospital Employees Union v. C.M.C. Vellore Association*, reported in (1987) 4 S.C.C. 691 wherein at page 708 it was held by the Hon'ble Supreme Court that "..... The power under Section 11-A of the Act has to be exercised judicially and the

Industrial Tribunal or the Labour Court is expected to interfere with the decision of the management under Section 11-A of the Act only when it is satisfied that the punishment imposed by the management is highly disproportionate to the degree of guilt of the workman concerned. I have already stated that the punishment of dismissal from service was the only punishment to be imposed in view of the enormity of the offence committed by the concerned workman.

13. So, upon consideration of the facts and circumstances as well as the position of law in the matter, I am in full agreement with the decision of the management about termination of the service of the concerned workman, as it was proper and justified. The workman accordingly shall not be entitled to any relief in this case.

This is my Award.

A. K. CHAKRAVARTY, Presiding Officer

Dated, Calcutta,

The 29th April, 1999.

नई दिल्ली, 19 मई, 1999

का.आ. 1648—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया, चंडीगढ़ के प्रबंधन के संबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम, 1947 के प्रावधानों को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-5-1999 को प्राप्त हुआ था।

[सं. एन-12011/29/93-आई.आर. (बी-1)]

सनतन, ईस्क अधिकारी

New Delhi, the 19th May, 1999

S.O. 1648.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India, Chandigarh and their workman, which was received by the Central Government on the 18-5-1999.

[No. L-12011/29/93-IR(B.I.)]

SANATAN, Desk Officer.

ANNEXURE

Before Shri B. L. Jatav, Presiding Officer, Central Govt., Industrial Tribunal-cum-Labour Court, Chandigarh.

Case No. I.D. 137 of 1993.

Secretary,
State Bank of India Staff Association
C/o State Bank of India, Main Branch,
Yamunanagar (Haryana)

.. Petitioner.

Vs.

Regional Manager,
State Bank of India,
Regional-I, Zonal Office, Haryana,
Sector-8-C, Chandigarh.

.. Respondent.

REPRESENTATIVES :

For the workman : None.

For the management : Shri Ajay Kohli.

AWARD

(Passed on 22nd March, 1999)

The Central Govt. Ministry of Labour vide Notification no. L-12012/29/93-I.R.(B.I.) dated 10th November, 1993 has referred the following dispute to this Tribunal for adjudication :

"Whether the management of State Bank of India is justified in treating Yamanagar and Jagadhari Towns for payment of H.R.A. as Category II for officers and category III for workmen staff? If not, to what relief the workmen are entitled to "

2. Today the case was fixed for evidence of the workman. Despite several notices none has put up appearance on behalf of the workman. It appears that Union is not interested to pursue with the present reference. In view of the above situation, the present reference is returned for want of prosecution. Appropriate Government be informed.

Chandigarh.

22-3-1999.

B. L. JATAV, Presiding Officer.

नई दिल्ली, 19 मई, 1999

'का.आ. 1649:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया, बंगलौर के प्रबंधन के संदर्भ नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलौर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-5-1999 को प्राप्त हुआ था ।

[सं. एल-12102/50/96-आई.आर.(बी-1)]

सनातन, डेस्क अधिकारी;

New Delhi, the 19th May, 1999

S.O. 1649.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India, Bangalore and their workmen, which was received by the Central Government on 18-5-1999.

[F. No. L-12012/50/96-IR(B.I.)]

SANATAN, Desk Officer.

ANNEXURE
BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Bangalore, the 12th May, 1999

PRESENT :

Justice R. Ramakrishna, Presiding Officer.

C.R. No. 234/1997

I PARTY

Shri L. Jayaram
No. 256/B,
M.G. Colony,
City Railway Quarters
BANGALORE-23.

II PARTY

The General Manager
(Personnel)
State Bank of India
St. Marks Road,
BANGALORE-1.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2A of the Section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-12012/50/96-IR(BI) dated 14-5-1997 for adjudication on the following schedule.

SCHEDULE

"Whether the management of State Bank of India is justified in treating the services of Shri L. Jayaram as voluntarily retired w.e.f. 15-11-1993? If not, to what relief the workman is entitled?"

2. The first party workman joined the services of the second party bank on 25-9-1986 as a Messenger. When he was working at Ulloor branch his attendance was irregular. He was granted leave on loss of pay for 19 days from 1-12-92 to 19-12-92. From 6-4-93 to 30-4-93 he was once again absent and was treated as leave without pay. Once again from 1-7-93 to 15-11-93 he was unauthorisedly remained absent. Though a letter dated 20-9-93 was sent to him to report for duty failing which Disciplinary proceedings will be initiated has not made any effect on him. Later on 8-10-93 the first party was issued another letter, by registered post, calling upon him to report for duty within 30 days and failure to obey the notice the bank will treat that he has voluntarily retired from the case. On 18-11-93, a Memo was issued to the first party that he was absent from 1-7-93 onwards, which was received by him and he did not report to the duty. Therefore the second party gave a Paper publication on 12-11-93 in the Deccan Herald and Prajavani, daily newspapers in circulation at Bangalore city.

3. Since the first party failed to report to the duty within 30 days time granted to him, by issuing another notice his services are dispensed as he is voluntarily retired from service in accordance with Clause 17 of the Bi-partite Settlement.

4. The first party in the claim statement contended that he has availed leave on 29th and 30th June 1993 as he has received a communication from his Father-in-law that his wife (workman) who went for delivery is developed some complication and it was a caesarean case, therefore he went to Madras and sent a telegram to the Branch Manager. Later when he visited the branch to attend on his work he was not allowed to do so on the ground that his services were dispensed as he is voluntarily retired from service.

5. The second party who supposed to justify their action examined an officer Shri K. Krishnamurthy Rao who was the Branch Manager during 1993 at Ulloor. This witness deposed that the first party who was on leave on 29th and 30th June never returned to the bank nor sent any communication to extent his leave. During August 1993 one reply letter was received from the first party as per Ex. M-1. After receiving this letter, a letter Ex. M-3 was sent to him to attend duty immediately. Since there was no response a Memo dated 8-10-93 was issued as per Ex. M-4. Neither the reply received nor the workman attended the work. Thereafter a paper publication was made in daily newspaper as per Ex. M-5 and Ex. M-6. He has not responded for that also. Later Asstt. General Manager issued a Memo Ex. M-7 which was duly acknowledged by the workman. In these circumstances the bank treated him as a voluntary Cessation of work in accordance with Clause governing to treat the workman as voluntary cessation in a given circumstances.

6. The workman in his evidence has reiterated the averments made in the claim statement and maintained that he has informed the bank about his absence over telegram and the letter Ex. M-1 and therefore the termination amounts to retrenchment. He has maintained in his cross examination that he went to duty during the month of August but he was advised to meet the Regional Officer. He did not give any request letter to take him for duty. He do not remember on what date he gave his leave application. He has also accepted the fact that the address given in the application about his residence is correct.

7. It is admitted of no doubt that the first party was unauthorisedly absent from 1-7-93. His letter dated 19-8-93 marked as Ex. M1 confirms this aspect of the matter. Ex. M-3 dated 20-9-93 is another letter addressed to the first party informing, he has not been sanctioned any leave as there was no leave of any kind to his credit and further he was instructed to report for duty immediately. Ex. M-4 is a Memo dated 8-10-93 directing the first party to report for duty within 30 days failing which he will be deemed to have voluntarily retired from the service on the expiry of the notice. Ex. M-7 is a Memo dated 18-11-93 informing the first party that he deemed to have voluntarily retired from service w.e.f. 15-11-93. This letter was acknowledged by the workman as per Ex. M-7(a).

8. Clause 17 of the Bi-partite Settlement reads as follows:

"Where an employee has not submitted any application for leave and absents himself from work for a period of 90 or more consecutive days without or beyond any leave to his credit or absents himself for 90 or more consecutive days beyond the period of leave originally sanctioned or subsequently extended or where there is satisfactory evidence that he has taken up employment in India or the management is satisfied that he has no present intention of joining duties, the management may at any time thereafter give a notice to the employee's last known address calling upon the employee to report for duty within 30 days of the notice, stating inter-alia the grounds for the management coming to the conclusion that the employee has no intention of joining duties and furnishing necessary evidence, where available. Unless the employee reports for duty within 30 days or unless he given an explanation for his absence satisfying the management that he has not taken up another employment or a vocation and that he has no intention of not joining duties, the employee will be deemed to have voluntarily retired from the Bank's service on the expiry of the said Notice. In the event of the employee submitting a satisfactory reply, he shall be permitted to report for duty thereafter within 30 days from the date of the expiry of the above said notice without prejudice to the Bank's right to take any action under the law or rules of service".

9. On a plain reading of clause XVII, the condition precedent for deemed voluntary retirement required to fulfil the following conditions; the relevant extract applicable to this case is shown hereinafter:

- (a) An employee without leave application and absents from work for a period of 90 or more days.
- (b) If management is satisfied that the workman has taken up another employment in India or he has no intention of joining duties, then a notice to be given to the employees last known address calling upon the employee to report for duty within 30 days of the notice, stating inter alia, the grounds for the management coming to the conclusion that the employee has no intention of joining duties and furnishing necessary evidence, where available.
- (c) If he does not report for duty within 30 days or give an explanation satisfying the management that he has not taken up another employment or avocation and that he has no intention of not joining duties, the employee will be deemed to have voluntarily retired from the bank's service on the expiry of the said notice".

10. Clause XVII is included in Bi-partite settlement in the form of a settlement under Section 18 of the Industrial Disputes Act and therefore it is binding to both parties. If any violation to the conditions laid down under Clause XVII the management acquires the right to treat the workman as voluntarily retired after fulfilling the obligations enumerated in the clause. The party who is involved in this misconduct cannot take technical plea to justify his absence except to the fact that he was informing the management

regularly and the management accepted and allowed him to be kept away from the job due to personal problems. In view of this the action of the management is within the framework of Clause XVII.

11. The next question is whether any sympathetic approach is necessary for taking into consideration the benevolent provisions contained under Section 11A of the Act.

12. Shri B.D.K. the learned advocate for the first party submits due to genuine reasons his client remained absent and violated clause XVII, but he having served so many years in the bank and also now he is unemployed some consideration is necessary for him to take care of his wife and children.

13. It is true that the first party by absenting himself unauthorisedly caused hardship in the bank. In a similar circumstances the Supreme Court in *Mandeep Kumar and others vs. State of Haryana* and another (1996) 1 SCC 292, has taken a lenient view. Their Lordships by talking into consideration the benevolent provisions contained under Section 11A of the Act and also to save the management from further embarrassment have permitted for the workman to be taken back on service with a condition that if he absents himself from duty without leave even on a single occasion during next two years, his service may be discharged.

14. Having regard to these facts and circumstances and also keeping in mind the order of the Supreme Court in *Mandeep Kumar's* case I make the following order.

ORDER

The action of the management in treating the absence of the first party as a voluntary retirement is justified. However taking into consideration the benevolent provision of Section 11A the second party is directed to reinstate the first party to the post he was holding as on the date of his termination as voluntary retirement. The first party is entitled to continuity of service but he is not entitled for any back wages. If the first party absents himself from duty without leave even on a single occasion during next 5 years his services may be discharged. The reference is answered accordingly.

(Dictated to the stenographer, transcribed by her, corrected and signed by me on 12th May, 1999.)

JUSTICE R. RAMAKRISHNA, Presiding Officer

नई दिल्ली, 19 मई, 1999

का.आ. 1650:—औद्योगिक विवाद अधिनियम, 1947

(1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कर्नाटक बैंक लिमिटेड, मंगलूर के प्रबंधन के संबंध निधोजको और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-5-1999 को प्राप्त हुआ था।

[सं.एल-12012/51/82-डी. आई.-(IV)(A)]

आई आर. (बी-1)]

सनातन, डेस्क अधिकारी

New Delhi, the 19th May, 1999

S.O. 1650.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Karnataka Bank Ltd., Mangalore and their workmen, which was received by the Central Government on 18-5-1999.

[No. I-12012/51/82-DI-IV(A)] (IR(BI))
SANATAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, BANGALORE

Dated : 3rd May, 1999.

PRESENT :

JUSTICE R. RAMAKRISHNA—Presiding Officer.

C.R. NO. 16/1990

I PARTY

The General Secretary,
Karnataka Bank Staff Association,
8, Ganesh Kripa New Balmata Rd.,
Mangalore-575 001

II PARTY

The General Manager,
Karnataka Bank Ltd.,
Head Office,
Mangalore-575 003

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2A of the section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-12012/51/82-DI-IV(A)/IR(B)-I dated Nil on the following schedule :

SCHEDULE

"Whether the action of the management of Karnataka Bank Limited, Mangalore in dismissing Shri M. Ashok Kumar, Attender from service vide Bank's order No. PIR. 964/81 dated 11-7-1981 was legal and justified? If not, to what relief the workman concerned is entitled?

2. The first party was dismissed on 11-7-1981 for the alleged misconduct committed by him as per the charge sheets dated 12-6-1979 and 14-12-1979. The misconduct alleged against this workman are; (i) unpunctual in attendance; (ii) in subordinate (iii) guilty of tampering with records, (iv) threatening gestures. According to the second party the conduct of the first party was unbearable and therefore two charge sheets were issued and he was not allowed to visit the bank after he was kept under suspension. The further contention of the second party is that prior to this, this workman has committed a misconduct of similar nature. After conducting a domestic enquiry he was found guilty and therefore he was punished with stoppage of two increments. However, this workman raised a dispute and the matter was referred to this tribunal resulted in registering C.R. No. 06/78. This tribunal on an assessment of the materials allowed the reference by setting aside the punishment imposed by the second party. A Writ Petition was filed before the Hon'ble High Court of Karnataka by the second party in W.P. No. 10173/80. This Writ petition later came to be dismissed on 7-6-1984.

3. The contention of the first party as could be seen from the claim statement is that the second party are in the habit of issuing frivolous charge sheets and the present charge sheets are of the similar nature.

He has also stated about a previous enquiry and resultant punishment. According to him he has challenged the said punishment and ultimately succeeded before this tribunal and also before the Hon'ble High Court of Karnataka. He is trying to say the punishment imposed on the given misconduct is to excessive and the report of the enquiry officer is perverse and biased. Therefore, he prayed for reinstatement and other consequential benefits including backwards.

4. Since the dismissal of this workman was on the basis of findings of the enquiry officer in a domestic enquiry conducted against him. This tribunal has framed a preliminary issue to give a finding on the validity of domestic enquiry. After recording the evidence of the Enquiry Officer and the workman. This tribunal came to the conclusion that there was no defect in conducting the domestic enquiry and therefore this preliminary issue was held in favour of the second party vide order dated 5-1-1999.

5. The first party filed a written arguments in lieu of his oral arguments. There he has touched many aspects of this case both on facts and law.

6. As it relates to the mode adopted by the Enquiry Officer in the domestic enquiry he has not said much both in his pleadings and evidence and therefore we held the validity of domestic enquiry in favour of the management. The first party also not placed any material to show that the finding of the enquiry officer is perverse. He has mainly taken the legal issue, which was not canvased earlier i.e. the order of dismissal is void as the second party have not obtained the approval of the tribunal in accordance with Sec. 33(2)(b) of the Industrial disputes Act, 1947 and they have also not paid one month's wages as contemplated under this Section.

7. The second party also filed a written arguments. In this written arguments they have touched both the fairness of the domestic enquiry and the report of the enquiry officer which is based on solely on legally evidence produced in the enquiry. As it regards to the new contention raised by the first party that the management failed to obtain an approval by the concerned court before dismissing the workman. That the other case was decided on the merits and after its decision the tribunal loses its jurisdiction as contemplated under Section 15 of the Industrial disputes Act and therefore there was no occasion that the proceeding was pending before the authority for the management to make an application for an approval after the payment of one month's salary.

8. I have gone through the Memo's issued to this workman during 1979. The general tendency appeared was that almost all staff members of that bank were affected by the indecent misbehaviour of this workman. Infact he was earlier charge sheeted for the same misconduct and punishment of stoppage of increment was imposed. However, the workman raised an Industrial dispute and this tribunal has taken a view contrary to what was done by the enquiry officer and the said order was set aside.

9. These facts and circumstances shows that this workman is in the habit of committing the misconducts alleged in the charge sheets dated 12-6-79 and 14-12-79. Infact he was not permitted to visit the

bars even to get his subsistence allowance within the frame work of Bipartite Settlement where such restriction by the management is recognised. Therefore, I do not find any material to disagree with the findings of the enquiry officer. The extreme punishment of dismissal by the disciplinary authority might have been made keeping in view the result of an earlier domestic enquiry on the same set of allegations.

10. The next and important contention raised by the workman is that the management have not obtained the approval of the tribunal when the earlier dispute was pending between the workman and the management and therefore the order of dismissal is a nullity under law under Section 33(2)(b) of the Industrial disputes Act, 1947.

11. Indeed this defence is taken by the workman for the first time in this case. It is a established fact that the question of pure law can be taken up at any stage of litigation be it in the court of law in last resort. In *Chitoori Subbanna vs. Kudappa Subbanna and Others*, AIR 1965 SC 1325, it was held that an additional plea on question of pure law can be allowed for the first time in grounds of appeal or even as an additional ground on a later stage at the discretion of appellate and higher courts. In *V. B. Kalingarare vs. Rajam* AIR 1978 Madras 192 it is held that an issue which is one of law and is self-evident from records, can be taken up at the appellate stage though it did not figure in the original claim. Section 33 reads as follows :

1. "During the pendency of any conciliation proceedings before a conciliation officer or a Board or of any proceeding before (an arbitrator or) a Labour Court or Tribunal or National Tribunal in respect of an industrial dispute, no employer shall—
 - (a) in regard to any matter connected with the dispute, alter, to the prejudice of the workmen concerned in such dispute, the conditions of service applicable to them immediately before the commencement of such proceedings; or
 - (b) for any misconduct connected with the dispute discharge or punish, whether by dismissal or otherwise any workmen concerned in such dispute, save with the express permission in writing of the authority before which the proceeding is pending;
2. During the pendency of any such proceeding in respect of an industrial dispute, the employer may in accordance with standing orders applicable to a workman concerned in such dispute (or, where there are no such standing orders, in accordance with the terms of the con-

tract, whether express or implied, between him and the workman)---

- (a) alter, in regard to any matter not connected with the dispute the conditions of service applicable to that workman immediately before the commencement of such proceeding; or
- (b) for any misconduct not connected with the dispute, discharge or punish, whether by dismissal or otherwise, that workman;

Provided that no such workman shall be discharged or dismissed, unless he has been paid wages for one month and an application has been made by the employer to the authority before which the proceeding is pending for approval of the action taken by the employer.

12. We have noted at Supra that this workman as against the punishment imposed on him for the similar misconduct in the year 1975 raised an industrial dispute and it was referred to this tribunal in C.R. No. 6/78 dated 22-3-1980. When this tribunal allowed the said application the management preferred Writ petition in the year 1980 in W. P. No. 101/73 before the Hon'ble High Court of Karnataka at Bangalore. The stay had been granted in that Writ Petition and the same was dismissed on 7-6-1984.

13. In support of this contention the learned advocate for the first party placed reliance on a Division Bench decision of the High Court of Karnataka between *Prabhakar H. Manjare and Anr. vs. Indian Telephone Industries Ltd.* Bangalore and Anr. reported in 1998 II CLR 918. Their Lordships after discussing the Law on this point extensively at it was interpreted by Supreme Court and various other high courts concluded at para 3 of the judgement as follows :

"Section 33 of the Act provides that during the pendency of any conciliation proceeding before a conciliation officer or a Board or of any proceeding before an Arbitrator or a Labour Court or a Tribunal or National Tribunal in respect of an industrial dispute, the conditions of service with regard to any matter connected with the dispute shall remain unchanged under specified circumstances. However, the employer may under specified circumstances and in accordance with the standing orders applicable to a workman concerned after the service condition punish, whether by dismissal or otherwise for any misconduct not connected with the dispute. However, no

workman can be discharged or dismissed unless he had been paid wages for one month and an application has been made by the employer to the authority before which the proceeding is pending for approval of the action taken by the employer. The purpose of the conditions imposed by the section is that the prescribed limitations are designed to protect the workman concerned during the course of the conciliation proceedings before a conciliation officer, Board or Arbitrator and adjudication against the employer's harassment and victimisation on the ground of their having raised the industrial dispute and to maintain status quo by prescribing the management conduct during the pendency of the dispute. The object of putting the restrictions for removal of alteration of the service condition is admittedly to ensure that pending industrial disputes are brought to an expeditious determination in a peaceful atmosphere keeping in view the object of the industrial laws of maintenance of harmony with the employer and the workman. This section, however, does not take away the right of the employer to take necessary action under specified circumstances on justified grounds. While enacting the section the legislature is presumed to have kept in mind the maintenance of the industrial peace, restoration of amity and good will between the employer and his workman."

14. In view of the facts the law is declared on this point and admittedly the second party failed to obtain the approval of the tribunal by paying one month's salary in accordance with Section 33(2)(b) of the Act. The order of dismissal is a nullify.

15. However the second party was successful in proving the serious misconduct committed by this workman. Since the first party is succeeding on a technical point enunciated under law the following order is made.

ORDER

The order of dismissal dated 11-7-1981 is hereby set aside. The second party is directed to reinstate the first party. He is entitled for continuity of service and back wages at 25 per cent.

(Dictated to the Stenographer, transcribed by her, corrected and signed by me on 3rd May, 1999.)

JUSTICE R. RAMAKRISHNA, Presiding Officer

नई दिल्ली, 19 मई, 1999

का.पा 1651:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ़ फरिदाबाद, फरिदाबाद, के प्रबंधनत्व के संबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण अधिनियम के प्रावधानों को प्रकाशित करती है, जो केन्द्रीय सरकार की 18-5-1999 को प्राप्त हुआ था :

[स. एम-12012/126/88-डी III (ए) (डी-I)]

मनान्त, डेस्क अधिकारी

New Delhi, the 19th May, 1999

S.O. 1651.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of Patiala, Patiala their workman, which was received by the Central Government on the 18-5-1999.

[No. L-12012/126/88-D. III(A).B-I]

SANATAN, Desk Officer.

ANNEXURE

BEFORE SHRI R. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT., INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 64 of 1989
Sh. Gian Pal Singh S/o Sh. Horam Singh
C/o Gulshan Pal, New Bank of India
NIT, Faridabad.

..... Petitioner

Vs.

Managing Director,
State Bank of Patiala,
Head Office, The Mall,
Patiala.

..... Respondent

REPRESENTATIVES :

For the workmen : None.

For the management : Shri N. K. Zakhmi.

AWARD

(Passed on 9th April, 1999)

The Central Govt. Ministry of Labour vide Notification No. L-12012/126/88-D.III(A) dated 18th November, 1988 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of State Bank of Patiala in relation to their Faridabad Branch in terminating the

services of Sh. Ghan Pal Singh w.e.f. 26-6-86 and not giving him opportunity for his re-employment is just, fair and legal? If not, what relief the workman concerned is entitled to?"

2. Despite several notices, none has put up appearance on behalf of the workman. It appears that workman is not interested to pursue with the present reference. In view of the above situation, since the workman is not interested to pursue with the present case, the reference is returned to the Appropriate Govt. for want of prosecution.

Chandigarh.

9-4-1999.

B. L. JATAV, Presiding Officer.

नई दिल्ली, 19 मई, 1999

का.आ.1652:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया, चंडीगढ़ के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चंडीगढ़ के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-5-1999 को प्राप्त हुआ था।

[सं. एल-12012/138/91-आई.आर. (बी-1)]

सनातन, डेस्क अधिकारी

New Delhi, the 19th May, 1999

S.O. 1652.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Chandigarh as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India, Chandigarh and their workman, which was received by the Central Government on the 18-5-1999.

[No. L-12012/138/91-IR (B. I)]

SANATAN, Desk Officer

ANNEXURE

BEFORE SHRI B. L. JATAV, PRESIDING OFFICER, CENTRAL GOVT., INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Case No. I.D. 87 of 1991

Deputy General Secretary,
State Bank of India Staff Association,
House No. 73, Sector 15-A,
Chandigarh-160016.

.....Petitioner.

V.

Chief General Manager,
State Bank of India,

1608 GI/99-18

Local Head Office,
Chandigarh-160017.
Deputy General Manager,
State Bank of India,
Zonal Office, Cart Road,
Shimla-171001.
Regional Manager,
State Bank of India,
Zonal Office, Cart Road,
Shimla-171001.

..... Respondents.

REPRESENTATIVE :

For the workmen : None.

For the management : Shri D. P. Garg.

AWARD

(Passed on 15th March, 1999)

The Central Govt. Ministry of Labour vide Notification No. L-12012/138/91-I.R. (B.3) dated 8th July 1991 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of State Bank of India in not making payment of Project Area Allowance to the employees posted at 'Slapper' (Himachal Pradesh) Branch of the bank is legally valid and justified? If not, to what relief the workman is entitled to and from which date?"

2. Despite several notices none has put up appearance on behalf of the workman/Union. It appears that Union is no more interested to pursue with the present reference. In view of the above, the present reference is returned to the Appropriate Govt. for want of prosecution.

Chandigarh.

15-3-99.

B. L. JATAV, Presiding Officer

नई दिल्ली, 19 मई, 1999

का.आ.1653:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नाबरड, हैदराबाद के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण-I हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-5-1999 को प्राप्त हुआ था।

[सं. एल-12012/167/96-आई.आर. (बी-1)]

सनातन, डेस्क अधिकारी

New Delhi, the 19th May, 1999

S.O. 1653.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal-I, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of NABARD, Hyderabad and their workman, which was received by the Central Government on the 18-5-1999.

[No. L-12012/167/96-IR(B-I)]

SANATAN, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I AT HYDERABAD

PRESENT :

Sri C. V. Raghavaiah, B.Sc., B.L., Industrial Tribunal-I, Hyderabad.

Dated : 15th day of February, 1999

Industrial Dispute No. 36 of 1997

BETWEEN

Shri P. S. Balasubramanyan, S/o P.S. Subramanyan Iyer, Ex-Kithamathagar, R/o H. No. 1-8-822/22, Chikkadapalli, Hyderabad-500 020. — Petitioner

AND

The General Manager, National Bank for Agriculture and Rural Development, Yadagiri Chambers, RTC 'X' Road, Mushoorabad, Hyderabad — Respondent

APPEARANCES :

Petitioner in person.

Smt. Priyamvada, Representative for the Respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi by its Order No. L-12012/167/96-IR(BI) dated 24-6-97, referred the following Industrial Dispute U/s. 10(1)(d) and Sub-sec. 2A of Industrial Disputes Act, 1947, for adjudication to this Tribunal.

"Whether the action of the management of NABARD, Hyderabad in terminating the service of Shri P.S. Bala Subramanyan with effect from 9-12-84 without following the Sec. 25-F provisions of the I. D. Act is justified ? If not to what relief the workman is entitled to ?"

Both parties made their appearance and filed their respective pleadings.

2. The Workman P. S. Bala Subramanyan himself filed the claim statement contending as follows :

He was appointed on 3-2-84 on daily wage basis as Kithamathagar in the respondent canteen. Along with him 2 more persons were employed in it. The management suddenly terminated his services orally without following the procedure prescribed U/s. 25F of

I. D. Act. But the other employees were not terminated. Hence he approached the conciliation officer. But conciliation proceedings were abruptly closed vide report dt. 9-1-85. Hence he filed a Writ Petition No. 1912/85 before the Hon'ble High Court of Andhra Pradesh. And the same was dismissed giving a liberty to approach Labour Court-I, Hyderabad. Accordingly he filed I. D. No. 131/90 before it and the same was dismissed on 15-2-95 on the ground that the respondent bank was not a State Government Undertaking. He filed a fresh application before the conciliation officer but it ended in failure. Which resulted in this reference.

2. He contended that he worked for 286 days including Sundays paid holidays and curfew days for the period from Feb. 84 to 8th December, 1984. Hence he is entitled to reinstatement as he worked continuously for more than 240 days without any break as per the provisions of I. D. Act and as per the judgement of Supreme Court in Civil Appeal No. 300(NL) of 1982 dt. 28-8-85 and 933 & 934/75, dt. 16-1-76. He prayed for reinstatement into service with all attendant benefits.

3. The respondent bank filed a counter resisting the claim petition filed by the petitioner. It admitted that the petitioner was appointed on daily wages as Kithamathagar. It contended that the petitioner worked only 235 days during the period from 3-2-84 to 8-12-84. The allegation that along with him 2 or more persons were employed is not correct. It contended that the wages were being paid to him for the actual number of days he worked. The contention that his services were terminated without following the Sec. 25-F is not correct. As per the records of management he worked only 235 days during the said period. He was not engaged continuously for a period of more than one year. The wages for the weekly holidays was not paid to him and it cannot be taken into account for the purpose of arriving at the actual number of days. But on 15-8-84 and 2-10-84 being the National Holidays the petitioner were paid wages and similarly First and Third November 1984 declared as holidays the petitioner was paid wages. Thus it contended that discontinuation of service of the petitioner from the closure of the business on 8-12-84 cannot be deemed to be a retrenchment. The management stated before the conciliation meeting that the petitioner has actually worked for 235 days only. This fact was also admitted by him. Hence the question of treating him as having worked for 240 days does not arise. The adding of Sundays, weekly holidays in the claim petition filed by the petitioner does not count to the total number of days. The bank itself is a statutory corporation and it is bound to follow the guidelines issued by the Government from time to time in regard to service rules, recruitment and promotion etc. Hence the petitioner cannot be considered for reinstatement in the bank service. It further contended that the petitioner filed a representation before Assistant Labour Commissioner and as per the minutes dt. 9-1-1985 referred to in the claim petition, the conciliation officer closed the I.D. as it

was agreed that for suitable post for which he is qualified, his case will be considered whenever vacancies arise and the names sponsored by the employment exchange.

4. It admitted that the petitioner approached the Hon'ble High Court and the Labour Court by filing the respective petition. It contended that before the conciliation officer the matter was settled mutually between the parties on the admission that the petitioner did not work for a year as such is not entitled for reinstatement. Hence the question of raising the I. D. in this Tribunal is not maintainable. The contention that he was not given a chance along with other employees employed in the bank is not correct. It contended that the petitioner did not attend the office from 10-9-84 to 12-9-84 but joined only on 13-9-84 and hence he was not paid wages for those days. Similarly on curfew days the petitioner is not entitled for any wages and hence the curfew days will not be taken into account for completing 240 days. It contended that as per the law laid down by the Hon'ble Supreme Court and High Court the actual number of days worked by the workmen excluding Sundays and holidays will be computed as was held in the judgement reported in 1979 LAB IC Case 136. The judgements mentioned by the petitioner in the claim statement are not applicable to the present case. It contended that the petitioner is gainfully employed elsewhere and to gain sympathy from this Tribunal the petitioner chose to make certain extenuating circumstances which are not relevant for adjudication of this dispute. It prayed for dismissing the claim petition and to answer the reference against the petitioner.

4. On 24-12-97 the respondent filed additional counter contending that in view of the settlement dt. 9-1-1985 the petitioner is not entitled to raise dispute again. It mentioned the recruitment policy etc. and gave the reason in it for not reinstating the petitioner's service by stating that petitioner was over aged for the post for which he is seeking regularisation even by the date of initial appointment. It also reiterated that the petitioner has not put in 240 days as such he is not entitled to be reinstated.

5. The petitioner filed rejoinder denying the allegation in the additional counter.

6. In support of their contentions the petitioner himself examined as WW1 and filed Exs. W1 to W23. The respondent examined its officer as MW1 and filed Exs. M1 and M2 circulars.

7. The point for consideration is :

"Whether the action of the respondent bank in terminating the services of the petitioner P. S. Bala Subramanyan with effect from 9-12-84 without following the provisions of Sec. 25-F of the I.D. Act is justified? If not to what relief the workman is entitled to?"

8. Point :—The petitioner-workman who is examined as WW1 is seeking his reinstatement in the respondent organisation on the ground that termination

of his service orally with effect from 9-12-1984 in violation of Section 25F of I.D. Act is illegal and ab initio void which is however disputed by the other side.

9. For proper appreciation of the various contentions advanced by the parties, it is useful to set out material facts which are not disputed and as culled out from the oral and documentary evidence placed on record. The respondent organisation shortly known as 'NABARD' was established on 12-7-1982 by an Act of Parliament namely National Bank for Agriculture and Rural Development Act, 1981. It was formed by merger of Agriculture Reliance Development Corporation and Agriculture Credit Department of Reserve Bank of India. Its main object is to provide refinance to banking institution, promote rural credit and supervise cooperative and rural banking throughout the country. It has regional office at Hyderabad. At the time of formation the officers and staff of R.B.I. taken on deputation with an option to continue with the respondent or to repatriate to the parent organisation after one year. The subordinate staff also taken from R.B.I. on deputation on the same conditions, subsequently the respondent framed rules of recruitment and for disciplinary action in the year 1982.

10. As the respondent was not maintaining any canteen for its staff it engaged WW1 Balasubramanyam as Kithmatgar (Cook) on daily wage basis from 3-2-1984 for preparation of the tea and 2 or 3 other persons for supply of the same to the officers and staff, as Kithmatgar deputed from RBI chose to return parent organisation. No appointment letter given to WW1 the petitioner. His services were dispensed with by verbal order with effect from 8-12-84 without giving notice, pay in lieu of notice or without paying compensation. In spite of repeated requests, the respondent did not take him into service though his juniors are continued as per Ex. W3 and W4 orders of Hon'ble High Court dt. 30-3-87 and 3-8-87.

11. Hence the petitioner worker approached the Asstt. Labour Commissioner dt. 10-12-84 by raising dispute with regard to the action of the respondent. It filed Ex. W21 counter enclosing Ex. W1 showing the actual days worked by WW1. But the dispute was closed on 9-1-85 as per Ex. W2 as the respondent agreed to consider the case of the petitioner for suitable post for which he is qualified when vacancies arise in the Bank provided his name is sponsored by the Employment Exchange. Prior to 8-12-1984 the petitioner could not attend to duty due to imposition of curfew in Malakpet Area from 10-9-84 to 12-9-84 where he was residing as borne out by Ex. W9 notification of Government of Andhra Pradesh and Ex. W16 employment Registration Card.

12. As the respondent did not provide job to the petitioner though number of vacancies arose subsequent to Ex. W2, the petitioner filed WP No. 1912/85 on the file of the Hon'ble High Court against the respondent herein and also the Labour Commissioner, to direct him to hold enquiry. It was resisted by the respondent as borne out by Ex. W22 counter. The same was however dismissed on 19-12-85 with an

observation that the petitioner is at liberty if so advised to raise industrial dispute as borne out by Ex. W5 order. Hence the petitioner filed I.D. No. 131/90 under Section 2A(2) of the I.D. Act in the Labour Court for reinstatement with back wages against the respondent contending that though he worked for more than 240 days he was retrenched in violation of Section 25F of the Act. The respondent resisted the same both on merits and also on the ground of jurisdiction that Section 2A(2) of I.D. Act which is State Amendment is not applicable to it. The said reference was rejected both on merits and on the point of jurisdiction after enquiry as borne out by Ex. W6 Award dt. 15-2-95. Thereafter the petitioner again approached Asstt. Labour Commissioner, Hyderabad by raising dispute before him. The respondent filed its views Ex. W23 before the said authorities. The efforts made by the authority did not fructify and hence sent failure report as borne out by Ex. W7 minutes of conciliation and Ex. W8 failure report. Thereafter the dispute was referred to this Tribunal by the Central Government.

13. In the meanwhile the petitioner who has a failed matriculate at the time of appointment as Kitmatgar, improved his educational qualification by obtaining M. A. Degree in Sociology from Annamalai University as borne out by Ex. W11 marks list and Ex. W11 provisional pass certificate. In the year 1997 the respondent issued notification in Deccan Chronicle and employment News Magazine as borne out by Exs. W12 and 13 calling for applications for certain posts. The petitioner applied for the same as borne out by Ex. W18. Exs. W19 and 20 are notifications in Deccan Chronicle in regard to oral interview. But he was not selected though said to have passed in the written test held for the post of Officers. Ex. W10 is the calendar of the year 1984. Ex. W14 and 15 are judgements of the Hon'ble Supreme Court filed by the petitioner Exs. M1 and 2 are the circulars and instructions dated 30-9-79 and 23-12-91 regarding recruitment procedure followed in the respondent Bank.

14. Now I shall take up the contentions of the parties one after another as both sides besides submitting oral arguments, filed written arguments.

15. It is contended on behalf of the respondent that reference is bad as no dispute exists. It is submitted that the petitioner approached the conciliation authority as early as in the year 1984. The respondent filed Ex. W21 counter enclosing Ex. W1 statement showing the actual number of days petitioner worked in the organisation and finally the Labour Commissioner with mutual consent of both parties, closed the matter on 9-1-85 as borne out by Ex. W2 minutes as the respondent agreed to consider the case of petitioner for suitable post for which he is qualified whenever vacancies arise and his name is sponsored by the Employment Exchange. It is submitted that the petitioner could not be considered for suitable post though vacancies arise as his name was not sponsored by the employment exchange and in view above settlement reached under Section 12(3) of the I.D. Act which is binding on both parties as per Section 18 of I.D. Act. Hence the petitioner cannot raise the dispute again and again and if there is breach of above settlement

the course open to the petitioner is to take action under Section 29 of the I.D. Act. It is submitted that the petitioner has however raised same dispute before the Labour Court unsuccessfully as borne out by Ex. W6, Asst. Labour Commissioner as borne out by Exs. W7 and W8 besides the Hon'ble High Court as borne out Ex. W5. It is thus contended that petitioner has no right to raise dispute on the same issue i.e. whether the termination of his service by the respondent in violation of Section 25F of I.D. Act is illegal as it amount to abuse of process of court. In support of the above contention, reliance is placed on decision in Management State Farms Corporation of India Limited Malchanfam West Port Maipalliputer vs. Presiding Officer Second Addl. Court Madras 1997(i) LLJ 20 and SIF Limited Vs. 1st Industrial Tribunal West Bengal 1996(2) LLJ P. 584.

16. The petitioner who conducted the case personally however repelled the above contention. He has submitted that as conciliation officer without enquiring into dispute abruptly closed the same on 9-1-85 as borne out by Ex. W2, he filed W.P. No. 1912/85 against the respondent as well as the Conciliation Officer for directing the Conciliation Officer to continue the enquiry and directing the respondent to reinstate him but the same was dismissed on the ground that it involved disputed question of fact and with observation that petitioner is at liberty to raise the industrial dispute. Hence he approached the Labour Court by filing petition under Section (2) of I.D. Act. But it was dismissed on the point of Jurisdiction. Hence he was obliged to approach the conciliation officer again and this reference made pursuant to Ex. W8 failure report. Hence it is contended that there is no abuse of process of law and the dispute exist inspite of Ex. W2 and he is entitled to raise the same by virtue of Ex. W5 order of the Hon'ble High Court.

17. On a careful consideration of the material placed on record I am unable to accept the contention of the respondent that no dispute is existing between the parties in view of Ex. W2 settlement and the petitioner is abusing the process of law by raising dispute again on the same issue before different forums. I feel that decision relied on by the learned representative has no bearing on the facts of the case though there can be no quarrel with regard to the principle of law laid down therein. Admittedly the service of petitioner are terminated or dispensed with from 8-12-1984. He raised the dispute before Asst. Labour Commissioner (Central), Hyderabad on 10-12-1984 i.e. after couple of days. The respondent filed Ex.W21 counter enclosing copy of Ex.W1 statement of actual number of days petitioner worked on 9-1-85 the said industrial dispute was treated as closed as borne out by Ex.W2 in view of the fact the respondent agreed to consider the case of petitioner for suitable job for which he is qualified in future vacancies provided his name is sponsored by the Employment Exchange. Admittedly till now the petitioner was not given any job on the ground that his name was not sponsored by the employment exchange though vacancies arose, and filled up by calling for interview the person non-sponsored by the Employment Exchange in view of Exs.W3 and 4 direction of the Hon'ble High Court

in respect of those employees of the respondent. Thereafter the petitioner approached Hon'ble High Court by filing W.P. No. 1912/85 which is however, dismissed with observation that the petitioner is at liberty if so advised to raise industrial dispute as it cannot go into disputed question of fact i.e. as to for how many days the petitioner worked and whether Asst. Labour Commissioner closed the dispute abruptly as borne out by Ex.W5. Pursuant to said observation, the petitioner admittedly approached the Labour Court but was unsuccessful as borne out by Ex.W6 and Asst. Labour Commissioner (Central) as borne out by Exs.W7 and 8. Hence, from the facts narrated above, it cannot be said that petitioner is abusing the process of law by approaching different Forum in respect of non-existing dispute.

18. As pointed out above, the case of the petitioner for reinstatement or for suitable job to which he is qualified, is not considered by the respondent in terms of Ex.W2 settlement on the pretext that his name is not sponsored by the Employment Exchange though it has come out in evidence, that number of vacancies arose in various cadres and candidates not sponsored by the Employment Exchange are also called for interview of course pursuant to Exs.W3 and 4 orders of the Hon'ble High Court and are absorbed. I am of the view that as long as the petitioner's case for suitable post is not considered in terms of Ex.W2 settlement and as Ex.W2 itself was challenged under Ex.W5 order, it cannot be said that no dispute exists between the petitioner and respondent. I therefore, negative the contention of the respondent that the reference is bad due to non-existence of dispute.

19. Coming to the merit, it is the contention of petitioner that he has been appointed as Khitmatgar in the Canteen of the respondent on 3-2-1984 but his service was terminated without any reason by verbal order with effect from 8-12-1984 though he worked for more than 286 days without giving any notice, holding enquiry and without complying with the provisions of Section 25F of I.D. Act, as such the termination of his service is illegal as such he is liable to be reinstated with back wages and all attendant benefits. It is his further case that his juniors were continued and the respondent is insisting on the condition of being sponsored by the Employment Exchange in his case while it did not insist on such condition in respect of other employees though some vacancies arose due to retirement or death of the employees.

20. The case of the respondent on the other hand is that the petitioner was engaged on daily wage basis for preparation of tea etc. pending fixing up contract or agency for maintenance of canteen, that as such agency was fixed he was disengaged with effect from 8-12-1984 that he has no right to any post and hence question of violation of Section 25F of I.D. Act does not arise as it is a case of discharge but not retrenchment. It is its further case that petitioner did not work for 240 days in a calendar of 12 months immediately preceding the date of disengagement as such Section 25F of I.D. Act is not attracted. It is submitted that even it is assumed that petitioner was terminated from service it would not amount to retrenchment in view of Section 2(oo)-

(bb) of I.D. Act and further there is no post of Khitmatgar at present. Thus according to the respondent in this view of the matter also the petitioner is not entitled for reinstatement. It is also contended that under Exs. M1 and M2 recruitment rules are prescribed. It is submitted that even in the case of sub-staff also qualification and age is prescribed and further he should be sponsored by the Employment Exchange and the petitioner in this case is age barred for the post of sub-staff besides being over qualified and for this reason also he is not entitled for reinstatement as was held by the Labour Court in Ex. M6. Thus viewed from any angle, as per the respondent, the petitioner is not entitled to any relief.

21. In view of above contention, it has to be seen whether it is simple case of discharge but not retrenchment, whether the petitioner has worked for 240 days so that he can be deemed to have worked for continuous period of one year as envisaged under Section 25B(2)(ii) of I.D. Act and whether he is entitled to reinstatement. There can be no doubt that petitioner worked as Khitmatgar from 3-2-1984 to 8-12-1984 i.e. for less than one year in the respondent Bank. He attended to preparation of tea and supply of the same to the officers and staff. There can be no doubt that termination of service of any workman for any reason unless the case falls within clause a to c and (bb) or any way disciplinary action amount to retrenchment as defined under Section 2(oo). There can also be no doubt in case of non-compliance of Section 25F i.e. issuing of one month notice or pay in lieu of notice and payment of retrenchment compensation, the termination would amount to illegal retrenchment and workman would be entitled to reinstatement in such case with all attendant benefits. The case law on the point is well settled. It is suffice to refer to Ex. W14 decision relied on by the petitioner i.e., State Bank of India vs. N. Soudamoney—1976(32)FLR P197 (SC) and Mohanlal vs. Management of M/s. Bharat Electronics Limited AIR 1981 SC 1253. I shall now proceed to consider evidence placed on record to decide whether it is a case of retrenchment or discharge simpliciter i.e. disengagement after fixing up contracting agency and whether the petitioner worked for 240 days within the meaning of Section 25B 2(a)(ii) of I.D. Act.

22. It is in the evidence of the petitioner that he worked for more than 280 days i.e. continuously from 3-2-1984 to 8-12-1984 except on 11th and 12-9-1984 on which dates curfew was imposed as borne out by Ex.W9 order of the Government, that if Public Holidays paid holidays are also counted the number of days worked by him would come to more than 305 days. He stated that as per Ex.W1 statement of the respondent himself he worked for 235 days, that he was paid wages for 4 days i.e. on two national holidays i.e. 15th August and 2nd October, Public Holidays declared on 1st and 3rd November, that 11th September was declared holiday for the Bank due to curfew. He further submitted that three days were wrongly excluded as could be seen from any particulars produced by the respondent. He stated that but for curfew he would have attended office. According to him these days also have to be added in view of Section 25(B)(iii) of the I.D. Act. The petitioner

further relied on Ex.W14 decision i.e. workmen of American Express International Bank Corporation vs. Management American Express International Banking Corporation 1985(1) LLJ page 5539. He stated further that he could not produce the above material before the Labour Court as the respondent failed to supply the same. His evidence if accepted thus would show that he has worked for more than 240 days as such he shall be deemed to be in continuous service for not less than one year as per Sec. 25(B)(2)(a)(ii) of I.D. Act.

23. MW1 the representative for Management on the other hand stated that petitioner has actually worked only for 235 days as borne out by Ex.W1, that he was however, paid wages on 15th August and 2nd October, 1984 being National Holidays and 1st and 3rd November, 1984 which are declared as paid holidays by Central Government. The respondent has mentioned this even in Ex.W22 counter filed in WP 1912/85. He stated further that petitioner did not attend the office on 10th September though the office kept open and he attended only on 13th and he did not attend office on 9th September, 1984 which is a Sunday and also on 12th September, 1984. He however admitted that curfew was imposed in the city in Malakpet Area from 10th to 13th September, 1984 as per Ex.W9. His evidence further showed that Bank declared holiday on 11th and there is no record to show that bank functional on 10th in spite of curfew. He further admitted that no special transport arranged by the respondent to its employee to bring its employees from the curfew area. He however, sought to say that Ex.W9 G.O. is not applicable to the respondent. Thus, he stated that the petitioner did not work for the prescribed period of 240 days before date of termination.

24. I feel that even if it is assumed that Ex.W9 is not applicable to the respondent as it provides for giving special casual leave or other leave to the Government employee and contingent employee for their absence during the curfew period, Ex.W9 is relevant for the purpose of knowing from which period to which period curfew imposed in Malakpet area. Ex.W9 would clearly show curfew was imposed in Malakpet area. As per Ex. W16 employment registration card the address of the petitioner is Sardabad Colony which is admittedly in Malakpet Area. Hence it is obvious that there was curfew in Malakpet Area between 10 to 13th. It is the common case of both the parties that petitioner attended the office on 13th and he did not attend from 10th to 12th. Out of them 11th declared holiday by the Bank. I am of the view that petitioner was right in contending that 10th to 12th also have to be included in actual number of days worked as he was prevented from attending office due to imposition of curfew i.e. for reasons beyond his control, as such falls within the meaning of Section 25(B)(2) Explanation III of I.D. Act though it deals with the absence due to temporary disablement caused by accident. I am of the view that absence of petitioner on 10 to 12th September 1984 has to be treated as temporary disablement as he cannot be expected to attend the office at the risk of life when the curfew was imposed in the area in which he is residing. Thus,

if 4 days on which wages are paid to the petitioner and 3 curfew days are added to it 235 days the number of days the petitioner worked actually as per Ex. W1, the total number of days the petitioner worked would come to 242 days (i.e. $235 + 4 + 3$ days) even if Sundays and other Public Holidays are not added. I am definitely of the opinion that the National Holidays and paid holidays are liable to be added as wages are paid on these days as per statute even if it assumed that decision 'American Express' case is not applicable to the facts of the case as it was rendered in the year 1985 while petitioner worked only upto 8-12-1984.

25. Further as rightly contended by the petitioner the date 13th is corrected as 15th in the pay bill of September, 1984. It is further shown that there are 6 Saturdays in September, 1984 which is obviously incorrect as can be seen from Ex.W10 calendar. Thus, one more day has to be added in the month of September, 1984 to the days mentioned in Ex.W1. The respondent did not produce pay bills for June and July, 1984 to know whether correct number of days petitioner worked is shown in Ex.W1 as according to petitioner two days are excluded in these two months i.e. one day is each month. Hence, for not filing the said pay bill adverse inference has to be drawn and contention of petitioner that two days are excluded in the month of June, July 1984 in Ex.W1 has to be accepted as correct in view of the decision in Shri H.D. Singh vs. R.B.I. and others 1986(1) LLJ P.127. Thus, viewed from any angle it is beyond doubt that the petitioner worked for more than 240 days preceding 8-12-1984 as such he shall be deemed to be in continuous service of one year within the meaning Section 25(B)(2)(a)(ii) of the I.D. Act.

26. I am unable to accept the contention of the learned representative for the respondent that Ex. W6 order of Labour Court holding that petitioner failed to prove that he worked for 240 days operates as resjudicata as the said reference was disposed off on merit also beside on the point of jurisdiction.

27. It is no doubt true that it has been held in the above order that the petitioner failed to prove that he worked for 240 days and the certificate filed by him which is in the nature of conduct would only show that he worked from February to December, 1984. I am of the view that the above observation would not operate as resjudicata in view of Ex. W 1 statement of number of actual days petitioner worked filed by the respondent himself but which it failed to file in the labour court. As pointed out above as per Ex. W1 petitioner worked actually for 235 days. The evidence showed that he was paid wages for 2 National Holidays and on 2 days declared as paid holidays. Hence they have to be added to 235 days. The evidence further showed that curfew was imposed for 4 days and petitioner attended on one of the curfew days. While one day declared holiday by Bank. Hence if these days are also added the number of days worked would come to $235 + 4 + 3 = 242$ days. It has been observed that in the month of September

one day was wrongly excluded in Ex. W1 statement of actual days worked. Thus if it is added the number of days worked would come to 243 days even if Sundays and other Public Holidays are excluded. Even if the curfew days are excluded even then number of days petitioner worked would come to 240 i.e. 235 days as per Ex. W1 Plus 4 days National Holidays and paid holidays for which wages are paid and one day wrongly excluded in the month of September, 1984.

28. I, therefore conclude from the material placed on record i.e. from Ex. W1 and admissions elicited in the cross-examination of MW1, and Ex. W22 counter filed in WP No. 1215/95 that the petitioner was able to show that he worked for 240 days, in a calendar year immediately preceding the date of termination.

29. This will take us to the next question which the petitioner was only disengaged but not terminated from service i.e. retrenchment, if so Section 25F of I.D. Act is not applicable and petitioner is not entitled to reinstatement. Admittedly the post in which WW1 worked i.e. Kitamagar is not in existence now. He worked from 3-2-84 to 8-12-84 on which date his services are terminated orally. According to the petitioner-worker he worked continuously for over 240 days and thereby completed one year of continuous service. But the respondent terminated his service without any reason and without complying with the provisions of Section 25F of I.D. Act which is pre-condition and hence the termination of his service amounts to retrenchment. It is contended that the petitioner is entitled to reinstatement as his retrenchment is illegal being in violation of Section 25-F of I.D. Act.

30. The contention of the respondent on the other hand is that it is a case of discharge simpliciter but not retrenchment as the petitioner was engaged on daily wage basis till alternative arrangement is made for running the canteen, that he was disengaged with effect from 8-12-1984 as contractor was fixed for running the canteen that his case is covered by sub-Section (bb) of Section 2(oo). Hence it will amount to retrenchment, that in the absence of retrenchment Section 25F of I.D. Act does not arise and being daily wage worker he has no right to post and as he has not been appointed following the recruitment procedure prescribed under Exs. M1 and M2 circulars and as he is over aged at the time of engagement he is not entitled to reinstatement even as sub staff as the post of Kitamagar to which he was engaged does not exist, even if it is assumed that petitioner worked for 240 days. In view of above contention, we have to see the evidence placed on record to know the version of which party is probable.

31. We have the evidence of parties only on record. Further M.W1 has no personal knowledge. His evidence is based on record as per his own

showing. But he gave evidence in the earlier proceedings also i.e. I.D. No. 131/90 on the file of Labour Court. It has been held in the said proceedings, that petitioner is not entitled for reinstatement for the reasons stated therein as borne out by Ex. W6. There can be no doubt termination of service of an employee for any reason amounts to retrenchment unless it is covered by exception mentioned in clause a to c and (bb). The later clause was inserted by way of Amendment by Act No. 49 of 1984 with effect from 18-8-1984. As per the said clause termination of service of workman as a result of non renewal of the contract of employment between the employer and workman concerned on its expiry or such contract being terminated under a stipulation in that behalf contained therein would not amount to retrenchment. 'The petitioner's service was terminated after this amendment i.e. on 8-12-1984. According to the respondent this clause is applicable to the facts of the case. Admittedly Section 25F of I.D. Act which is condition precedent is not complied with in this case. Of course from the evidence placed on record it would appear that petitioner worked for more than 240 days as such deemed to have worked for continuous period of one year prior to the date of termination as envisaged under section 25B(2)(a)(ii) of the I.D. Act. It is settled law that all cases of retrenchment are termination of service but all termination of service may not amount to retrenchment.

32. The petitioner has no doubt deposed that he was appointed as Kitamagar in the canteen run by the respondent for preparation and supply of coffee to the staff of the respondent orally on 3-2-1984, that he worked continuously without break till 8-12-1984 on which date his service was terminated orally and without assigning reasons, though he worked to the satisfaction of the authorities and he was not issued one month's notice or pay in lieu of notice and retrenchment compensation that hence his termination which amount to retrenchment is illegal and he is entitled for reinstatement with back wages and attendant benefits. His evidence further showed that his juniors are continued in service that he applied for officer post, his case was not considered and in spite of Ex. W2 understanding the respondent did not consider his case for suitable post though number of vacancies arose due to death or retirement and though he registered his name with employment exchange. He further stated that pursuant to the order the Hon'ble High Court i.e. Exs. W3 and W4 the respondent regularised the service of certain employees though they are not sponsored by the Employment Exchange and that they are insisting on being sponsored by Employment Exchange when his case was taken up. He stated further that though the respondent entered into agreement with contractor for running Canteen on 30-4-1985 his services were terminated long before the said agreement i.e. 8-12-1984 and that in spite of raising

dispute before Labour Commissioner and Labour Court he was not reinstated into service.

33. The evidence of MW1 the Asst. General Manager of the respondent on the other hand would show that petitioner was engaged temporarily on daily wage basis as Kitamagar on 3-2-84 as the Kitamagar deputed by R.B.I. opted to return to R.B.I. after period of deputation, to prepare coffee and tea and to serve the same to the staff of the respondent, that no appointment order given as he was engaged on daily wages, that he was clearly informed that his service are purely temporary and would be disengaged as soon as alternate arrangement made for supply of the tea and coffee through reputed contractor, the respondent stated said fact before the Labour Commissioner as well as in the Ex. W22 counter filed in WP No. 1912/85, that petitioner was however paid wages on monthly basis, that respondent is having recruitment procedure prescribing age, educational qualification for subordinate staff that candidates would be sponsored by the Employment Exchange, that petitioner was over aged at the time of engagement and his service was discontinued from 8-12-1984 after alternate arrangement made. He admitted that agreement was entered into in April, 1985. He also stated that petitioner's case could not be considered for suitable post as his name was not sponsored by Employment Exchange in terms of Ex. W2 agreement, that the case of others considered though not sponsored by the Exchange pursuant to Exs. W3 and 4 decision of the High Court and they were selected as sub-staff as they satisfied the other qualification prescribed in Exs. M1 and M2 recruitment rule circular. His evidence further showed that age qualification for sub-staff is 25 years while the petitioner was over aged even by the date of initial engagement and the educational qualification is S.S.C. failed while the petitioner is presently over qualified. He stated further in Ex. W6 award also above observations are made and direct recruitment for group 'C' staff i.e. messenger was made for the first time in May, 1984. He thus stated that petitioner was not terminated from service but disengaged from 8-12-1984.

34. The petitioner has admitted in the course of cross-examination besides in his pleading that he has entered in the respondent service as daily wage worker, that he was not given any appointment order or termination order, that he was engaged for preparing tea and coffee but he was paid wages on monthly basis. He however denied that he has been informed at the time of engagement that his services are purely temporary and will be dispensed with after alternate arrangements are made. He however admitted that subsequently the respondent engaged contracting agencies to run the canteen. The evidence of MW1 further revealed that at the time of formation of the organisation, officers and staff including sub-staff were taken from R.B.I. on deputation with an option to continue or repatriate to

R. B. I. and Kitamagar who came on deputation opted to return to R.B.I. Hence the petitioner was engaged. The pay sheets filed in the court would show though not marked that wages are calculated on the basis of daily attendance though paid monthly once i.e. the wages paid for the number of days the petitioner actually worked in a month.

35. Thus it is obvious from the evidence placed on record that petitioner was not appointed to any post but engaged on daily wage basis and continued till the alternate arrangement is made. Of course it is true that he was disengaged few months before the respondent entered into agreement with the contractor. The evidence of MW1 however showed that agreement was entered at later point of time though the alternate arrangement made at the time of disengagement of the petitioner. The evidence of petitioner further showed that his date of birth is 25-11-'57. Hence by 3-2-1984 on which date he was originally taken into service he is aged about 26 or 27 years. But as per the recruitment rules of sub-staff the age prescribed is between 18 and 25. Thus it would appear that even by the date of engagement he was over aged. A perusal of Ex. W6 order of the Labour Court would show that similar finding was recorded. I am of the view that the daily and casual workers who are engaged in disregard of all rules cannot be allowed to enter the Government service through back door and labour court cannot be allowed to be used as a legal means of such back door entry.

36. Thus from the material placed on record it appears to be case of engagement and disengagement of the petitioner as he was taken into service only on daily wage basis even according to his own showing. As per Clause (bb) of section 2(o) extracted above, non renewal of contract of employment would not amount to retrenchment. This clause was inserted by the date of disengagement of the petitioner. Thus it is a case of discharge simpliciter as his disengagement is not actuated by any motive or amounts to unfair labour practice. Undoubtedly discharge simpliciter does not amount to retrenchment. As the petitioner was engaged on the basis of need of the work i.e. till the experienced contract is engaged for running canteen, his non-engagement even it is assumed to be case of termination will not amount to retrenchment even if he has worked for more than 240 days. I am also of the view that as the petitioner was engaged without following the recruitment rules, he has no right to post. In respect of such persons Section 25F I.D. Act has no application as his termination would not amount to retrenchment. This view of mine is fortified by the decision reported in (1997) 4 SCC 391 Himan Sukumar Vidyarthi vs. State of Bihar and others 1993 LIC 836 (Allahabad) Jaikar Hussain vs. Engineer-in-Chief Irrigation Department. 1998(4) SCC P15 Brij Bushan vs. Industrial Tribunal-cum-Labour

Court, 1993(67) FLR 761 (M.P.) Kum. Usha Koilakumar vs. M. C. Leoni 1998(5) SLR P 508 State of Maharashtra vs. Dr. Ahurz and AIR 1992 SC 789 Delhi Development Agriculture Union vs. Delhi Administration. In the above case it has been held that order of reinstatement or regularisation on the ground of completion of 240 days is against public policy and would lead to gaining entry into Government service through backdoor at the cost of the person who have registered their names in the Employment Exchange and waiting for call letter for years together.

37. I therefore feel that the case of petitioner falls under Clause (bb) of Section 2(oo) of I.D. Act as he was disengaged due to non-extension of contract of employment as the respondent fixed up contract agency to run the canteen, that being daily wage employee he has no right to post as such Section 25F of I.D. Act is not attracted to this case. Hence I hold that as the termination of service of the petitioner does not amount to retrenchment, consequently the question of it being illegal due to non-compliance of the Section 25F of I.D. Act does not arise. Hence he is not entitled to relief of reinstatement. I am of the view refusal to engage daily wager did not amount to retrenchment as such Section 25F is not attracted as held in the case of State of UP vs. Labour Court Haldwani 1998 (81) FLR 319. The facts of the said case shows the daily wagers worked for more than 240 days in each year still not granted the relief.

38. I am also of the view he is not entitled for the relief for another reason also. Admittedly the post of Kitamgarh for which he was engaged about 15 years ago does not exist now. Hence the petitioner's case can be considered only for the post of sub-staff i.e. Group III. The petitioner is not willing to be appointed to that post on the ground that he is a Post Graduate. He categorically admitted that he is over qualified for the post of Messenger and he is not seeking reinstatement as Messenger. From the material placed on record it would appear that he wants his case to be considered for the post of Officer for which he applied. I am of the view that such direction cannot be given while ordering reinstatement. I therefore, feel that for this reason also he is not entitled to relief of reinstatement as was already held by the Labour Court in Ex. W6 order.

39. The petitioner however relied on certain provision of service rules of respondent organisation i.e. Rule 2, Rule 17, 18(1)(b) Page No. 53 (iii) direct recruitment, P. 75 dealing with broad over lines of Item of work of mineman, Cooli etc., Page 77 Clause (g) dealing with recruitment and procedure of semi skilled such Grade II and I. I am of the view that they are not applicable to the petitioner who was engaged based on the need of

the work temporarily on daily wage basis till permanent arrangement by way of fixing up contracting agency for running the canteen is made. The above rules are applicable only to regular staff or person seeking appointment by direct recruitment.

40. I therefore conclude that the question of non-compliance of Section 25F and for that reason, the order of termination of service of petitioner amounting to illegal retrenchment does not arise having regard to the facts and circumstances of the case. There can be no dispute that each case has to be decided on its facts of the said case in determining whether the termination of service of workman amount to retrenchment and the same is illegal due to non-compliance of Section 25F of the I.D. Act. I am of the view that though petitioner has worked for a required period of 240 days so that he can be deemed to have completed one year of continuous service, Section 25F of I.D. Act, is not applicable as it is case of discharge simplicitor but not retrenchment.

41. Hence I hold for the reasons stated above that action of the respondent in non engaging the petitioner with effect from 8-12-1984 is justified and legal and the question of violating of Section 25F of I.D. Act does not apply to this case as it is not a case of retrenchment but engagement on daily wage basis to do work of temporary nature with the specific understanding that he will be disengaged as soon as alternate arrangement is made for running canteen and as he was disengaged after such arrangement is made. The point is hence answered against the petitioner holding that he is not entitled to relief of reinstatement and other attendant benefit prayed for.

42. In the result, award is passed holding that the termination of service of petitioner is justified and he is not entitled for any of the reliefs prayed for.

Written by me this 15th day of February, 1999.

C. V. RAGHAVIAH, Industrial Tribunal-I.

APPENDIX OF EVIDENCE

Witness Examined

for petitioner :

W.W1 P. S. Balasubrahmanyam

Witness Examined

for Respondent :

M.W1 E. V. Murray

Documents marked for the Petitioner :

Ex. W1 Statement showing the number of days to attend by WW1.

Ex. W2 Xerox copy of Minutes of conciliation of Regional Labour Commissioner dt. 9-1-1985.

- Ex. W3 Xerox Copy of Judgement in W. P. No. 9054 & 9189/84.
- Ex. W4 Xerox copy of Judgement in W.P. No. 8787/84 dt. 3-8-87
- Ex. W5 Xerox copy of Order/Judgement in W.P. No. 1912/85 on the file of High Court of Andhra Pradesh.
- Ex. W6 Xerox copy of order/Award in I.D. No. 131/90 on the file of Labour Court, Hyderabad dt. 15-2-1995.
- Ex. W7 Xerox copy of Minutes of conciliation dt. 29-3-96.
- Ex. W8 Failure report submitted by the A.C.L.
- Ex. W9 Copy of Government Order to pay the wages for curfew period.
- Ex W10 Calender showing the curfew period.
- Ex. W11 Marks statement of WW1.
- Ex. W12 Newspaper publications calling the applications for posts.
- Ex. W13 Employment News Magazine.
- Ex. W14| Copies of Judgement of Supreme Court.
- Ex. W15|
- Ex. W16 Xerox copy of employment card.
- Ex. W17 Xerox copy of provisional certificate of M.A. Degree.
- Ex. W18 Copy of application form sent by WW1 on 13-1-97.
- Ex. W19 Extract of Deccan Chronicle Paper.
- Ex. W20 Extract of Deccan Chronicle Paper.
- Ex. W21 Copy of the counter filed by the Management before ALC (Central) Hyderabad on 20-12-84.
- Ex. W22 Counter filed by the Management in WP No. 1912/85.
- Ex. W23 Copy of counter filed by the Management before ALC (C).

Documents marked for the Respondent :

- Ex. M1 Circular instructions dt. 30-9-79 regarding recruitment procedure.
- Ex. M2 Circular instructions dt. 23-12-81 issued to NABARD.

नई दिल्ली, 19 मई, 1999

का.प्र. 1654—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार तुंगभद्रा ग्रामीण बैंक बेलारी, के प्रबंधन के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनवरत में निर्दिष्ट

औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-5-1999 को प्राप्त हुआ था ।

[स. एन-12012/220/93-प्र.प्र. (बी-1)]

सनानन, डेस्क अधिकारी

New Delhi, the 19th May, 1999

S.O. 1654.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure in the industrial dispute between the employers in relation to the management of Tungabhadra Gramena Bank, Bellary and their workman, which has received by the Central Government on the 18-5-1999.

[No. L-12012/220/93-JR (B. I)]

SANATAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, BANGALORE

Dated : 12th May, 1999

PRESENT :

Justice R. Ramakrishna, Presiding Officer.

C.R. No. 10/1994

I PARTY

The General Secretary,
Tungabhadra Gramena Bank
Employees Union,
144, Kappagal Road,
Bellary-583103.

Versus

II PARTY

The Chairman
Tungabhadra Gramena Bank,
H.O., Sangankal Road,
Gandhinagar
Bellary-583103.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2A of the section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-12012/220/93-JR (B. I) dated 28-1-1994 on the following schedule :

SCHEDULE

"Whether the action of the Chairman, Tungabhadra Gramena Bank, in imposing the punishment on Shri Narayana P, Clerk, vide proceedings dated 31-12-92 is legal

and justified? If not, to what relief the workman is entitled?"

2. The schedule does not disclose the mode of punishment imposed on this workman. The imposed punishments are :

- (a) Stoppage on one increment with cumulative effect.
- (b) Recovery of 30% of Rs. 45,000/- with 17.5% interest from 23-1-87; and
- (c) the suspension period from 4-8-88 to 10-12-89 shall not be treated as service for what so ever purpose.

3. The allegation of charge made against this workman vide charge sheet dated 30-7-1988, shortly, on the following incidents :

Charge No. 1 :—that this workman as Junior Clerk was holding one set of Double lock store well keys bearing No. 166367-G1 and 166367-G2 instead of holding only one key of the storewell. He has failed to ensure the dual control of the security of items kept and acted contrary to the provisions of Tungabhadra Grammeena Bank (Staff) Service Regulations, 1980.

Charge No. 2 :- On 23-1-1987 D.D. No. 27/87 bearing printed serial No. 236422 which pertains to Yelburga Branch, was presented and encashed for Rs. 45,000 at Canara Bank, Hospet which is not authorisedly issued by Yelburga Branch. This incident is due to negligence of the first party.

Charge No. 3 :- He as a Junior Clerk holding one set of Double lock keys including the storewell keys in which the security items of the branch were kept, and the said storewell used to remain open right from the time of opening of the branch till its closure. Therefore he has failed to ensure safe custody of security items.

4. The first party has denied the charges. The management conducted the domestic enquiry through one Prahalad Desai, Area Manager. The first party has participated in the domestic enquiry. To prove the misconduct the management examined one witness by name Thimman Goud and got marked 8 documents as management exhibits. The first party has not examined himself nor examined any witnesses. The enquiry officer on the basis of this limited material gave a findings dated Nil. The enquiry officer found the first and second charges are proved and the third charge is not proved.

5. This tribunal has framed a preliminary issue on the validity of domestic enquiry. The second party examined the enquiry officer as MW-1. He has been cross examined by the Advocate for the first party. The first party was not examined with regard to the contentions taken by him relating to the validity of domestic enquiry. Since the evidence of MW-1 stood uncontradicted the findings on the domestic enquiry held in the favour of management.

6. The enquiry documents discloses when the disciplinary authority proposed the penalty vide letter dated 11-9-1991 the workman gave a detailed reply. The disciplinary authority imposed the punishment stated above vide order dated 31-12-92 totally agreeing with the findings of the enquiry officer. The Board of Directors have rejected the appeal filed by this workman.

7. It is submitted on behalf of the first party that the report of the enquiry officer is perverse as the enquiry officer failed to take into consideration the evidence which was in favour of the workman and wrongly appreciated the evidence to give a finding of guilt against the workman on Charge No. 1 and Charge No. 2. It is also further submitted that the entire case of the second party is vague and the charges also does not disclose the true intent of the management in framing such charges.

8. As against this submission it is contended for the second party that the case being proved against the first party beyond all reasonable doubt the management are justified in imposing the punishment. It is further contended that the enquiry officer has given report which is based on legal evidence.

9. I have closely gone through the report of the enquiry officer and the materials placed by the management against the workman. Shri Thimman Goud who has conducted the preliminary investigations states that totally five demand drafts were missing and out of these two have been fraudulantly encashed at Tungabhadra Grammeena Bank, Raichur and Canara Bank, Hospet. His further evidence is that both set of keys of double lock storewell were held by the first party and one key defeating the very purpose of dual control. In the cross examination he says that he do not remember the demand draft book bearing printed Serial Nos. 236401 to 236500 was taken out for use.

10. On this limited material the enquiry officer analyses the charges. With regard to the first charge the negligence is placed against the first party for holding two sets of keys and thereby failed to ensure the dual control of the security items. While analysing the evidence on this point the responsibility to this unhappy situation is placed not only on this workman and the other officer who have not observed the circular 62/84 on this point.

11. As regards to the second charge the enquiry officer gives his findings about the financial loss of Rs. 45,000/- due to the presentation of the missing demand draft.

12. For the purposes of analysing the evidence the excerpts of the evidence which is relevant is stated below :

On verification of the demand draft register I found that branches had issued D.D. No's 27/87 and 2/88 to other person. Then I verified the Key register and found

that the I set of keys of safe and double storewell were handed by Sri M. M. Balamakar, Manager and during his leave period outside duty I keys handled by Mr. Sheshagiri Rao and Narayan Purohit on various dates II set of keys of the storewell, and safe were handled by Mr. Sheshagiri Rao, Narayan Purohit and others on various dates. I also observed that both the set of keys of double lock storewell wherein the security items including DD Books used to kept were held by I & II key holders defeating the purpose of dual control. Further I am informed from the Manager and other staff of the branch that the double lock store well where in the security items including DD Book etc. were being kept used to remain open through out the day starting from opening of branch to till its closure.

Cross examination of MW-1 : I have conducted investigation from 10-2-1988 to 23-2-1988.

During the course of investigation and I have verified about contents of keys held by I & II key holder as noted in the key register.

I do not remember when the DD Book printed Serial Nos. 236401 to 236500 was taken out for branch used.

I hereby confirm that as per security item register (ME2) the balance remained in security register is 3 as on 10-2-1988 i.e. commencement of investigation.

D.R. : Please go through Page No. 21 of key register and inform the contents of II key.

MW-1 : As per key register Page No. 21 the contents of II key are SP 50501/A, 50501/B1, 030274, 3484317, 166367 G1, 166367 G2 as recorded on 20-1-1986.

I cannot confirm as which day 5 DD's have been missed.

I cannot confirm on which day DD bearing printed serial No. 236422 has been missed.

I do not remember whether there is observation in the inspection report with regard to holding both the set of keys of double lock storewell.

MW-1 : As per attendance register I confirm that Sri Narayan Purohit was on leave from 1-2-1988 to 20-2-1988.

Cross examination over.

Re examination by P.O.

As per security item register the DD leaf book bearing No. 236401 to 236500 was taken out on 16-4-1987.

13. If we analyse the above evidence, there is absolutely no material that this workman is responsible for this unhappy situation. Therefore the report of the enquiry officer is a perverse order. Though it is said 5 demand drafts were missing and two demand drafts were encashed, there is no material as to what further action taken by the management. If such occurrence are taken place it is the duty of the management to get the proper investigation done by investigating authorities to bring the culprits who said to have been utilised the demand draft unauthorisedly with criminal intention. The demand draft is marked as Ex-M-3 in the enquiry. It was issued in favour of one N. P. Srikanth. It bears the signature of an Authorised signatory. There is no evidence where his signature is a forged signature. The first party sends his detail reply to show cause notice which was received on 25-9-91 in the Head Office. He gives a detailed account of evidence on Charge No. 1 and Charge No. 2 as to where the enquiry officer committed error. The Disciplinary Authority passes a cryptic order of half sheet, which does not contain any reason for not accepting the contention of the first party. Added to this, this order is passed on 31-12-1992 i.e. after a lapse of nearly 1 year 3 months. It is obvious that the disciplinary authority has not even gave, atleast, a cursory answer to the reply.

14. The disciplinary authority has failed to take these facts into consideration while imposing the punishment. He has also not considered the previous conduct of this workman. Therefore the Benevolent Provision contained under Section 11A is applicable to the facts and circumstances of this case. In all fairness there may be some element of negligence on the part of the workman. But the evidence of misusing the demand draft or conniving with the miscreants is totally absent. Therefore I make the following order :

ORDER

The order of punishment of stoppage of one increment with cumulative effect under Regulation 30.1b and recovery of 50% of Rs. 45,000/- with 17.5% interest is hereby set aside. The first party is exonerated from the punishment. Consequent to this situation the second party are liable to pay the full salary from 4-8-1988 to 10-12-1989 and said period shall be treated as service. The reference is answered accordingly.

(Dictated to the Stenographer, transcribed by her, corrected and signed by me on 12-5-1999).

JUSTICE R. RAMAKRISHNA, Presiding Officer

गई दिल्ली, 19 मई, 1999

SCHEDULE

का.प्र. 1655.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में, केन्द्रीय सरकार स्टेट बैंक ऑफ़ मैसूर, बंगलौर के प्रबंधक के संबंध निधोजको और उनके कामदारों के बीच, अनुबंध से निष्पन्न औद्योगिक विवाद से कन्दय सरकार औद्योगिक अधिकरण बंगलौर के पंचाट का प्रकाशन करती है जो केन्द्रीय सरकार को 18-5-1999 को प्राप्त हुआ था।

[सं. एन-12012/226/92-आईआर: (बी-1)]

सनातन, डेस्क अधिकारी

New Delhi, the 19th May, 1999

S.O. 1655.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of Mysore, Bangalore and their workman, which was received by the Central Government on the 18-5-1999.

[No. L-12012/226/92-IR(B-1)]

SANATAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
COURT, BANGALORE

Dated 7th May, 1999

PRESENT :

Justice R. Ramakrishna, Presiding Officer

C. R. No. 19/1993

I PARTY :

Smt. Sakamma
W/o Thimmegowda
R/o Kaluve Beedi
Saligrama,
K. R. Nagar Taluk
Mysore District.

II PARTY :

The Chairman & Mg. Director
State Bank of Mysore,
Kempe Gowda Road,
Bangalore-560009.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2A of the section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-12012/226/92-IR (B. I) dated 24-2-93 for adjudication on the following schedule.

"Whether the action of the management of State Bank of Mysore in dispensing with the services of Smt. Sakamma, part-time Sweeper w.e.f. 29-6-88 is justified? If not, to what relief the workman is entitled to?"

2. The first party raised this dispute. According to her she was working as a Sweeper on full time basis in the year 1968-70 in the second party bank and her services was continued till June 1988. She was stopped for attending her services abruptly though she has put in more than 18 years of service. Initially she was getting Rs. 10/- per month thereafter increased to Rs. 13/-. Number of juniors in the bank who joined after the first party was continued.

3. It is the contention of the first party keeping a person for number of years without any benefit of regularisation amounts to illegality and violation of Article 13 of the Constitution of India.

4. She further contended that some of the incidents connected to taking loan from this bank to her sons where she stood as a guarantor, she not in any way affects her right as a sweeper. Therefore she prayed for an Order of reinstatement, full backwages, continuity of service and other benefits.

5. The second party in their counter statement have contended that the first party was working as a Sweeper on casual basis and the work involved not more than half an hour each day and she was paid Rs. 10/- initially per month. They have disputed the contention of the first party that she was a full-time sweeper. They have also denied her contention that the persons similarly placed as the first party were paid Rs. 2000/- per month.

6. As it regards to regularisation it is the contention of the second party that the regularisation of casual employee does not at all arise and it does not amount to illegal labour practice. Infact the first party and her three sons had taken loans from the bank for running a fruit stall and other allocations. Only there after the first party stopped coming to the bank after informing her inability to attend due to old age and also to look after fruit business. Infact bank has filed cases against her sons in 1992 where she is also a party as a guarantor. Possibly some permanent appointment was made after she stopped coming, made her to make attempt to rise the dispute mainly on the fact that she would get high rate of wages.

7. Since the issue involved in this case is covered under the schedule no additional issues were framed and to this effect an order was made on 3-8-94.

8. The first party examined a Manager who was working at Saligrama Branch at relevant point of time where the first party was also working. He has stated in his evidence that the first party was working. He has stated in his evidence that the first party was working as a Casual Part Time Sweeper initially at a consolidated payment of Rs. 10/- per month. Later it was enhanced to 130/- per month. On her instance the loan facility was extended to her sons to run small time business and she being involved in the same has expressed her desire not to continue her work. One of the ground was taken by her is her old age.

9. The evidence of this witness has not seriously controverted. Some of the answers elicited in the cross examination relates to her nature of work, wages and the calculation of amounts for per month.

10. The first party in her evidence says that she was a full time sweeper from the year 1968-70 and continued till June, 1998. During 1988 the Manager told her that she should come to the work whenever she is informed by him. She was approaching him time and again till 1992, but there was no offer of appointment, therefore she raised a conciliation.

11. She has further stated that when she joined the work her wages were Rs. 10/- per day, and after some time it was increased by another Rs. 5/-. During 1988 the bank was paying her a sum of Rs. 130/- per month. She got three sons who are living separately. The whereabouts of her husband is not known for the last 5 years.

12. In the cross examination this witness once again suggests and denies in accordance with the pleadings. The second party suggests that she has voluntarily stopped the work, she throws the burden to the management for stopping her work.

13. If we analyse both oral and documentary evidence there is no scope to disbelieve the evidence of the second party. Through Ex. M-2 a ledger account maintained of this workman it is shown that they are depositing Rs. 130/- per month to her account towards her wages. There is also no dispute that her children obtained loans for their business and the first son was doing fruit business. Infact he was initially a Jantha Deposit Collector and after he started the fruit business he gave that allocation. There is absolutely no material to appreciate the stand taken by the first party. It is clear that she was a part-time casual sweeper engaged for sweeping. Though it is contended that she was stopped to attend the work after September, 1988, there is absolutely no material as to what action she has taken against the management for illegally depriving of her work. Therefore the contention of the second party that she having

found the present salary i.e. being paid to a sweeper she is making a false attempt to get any financial benefit by rising this dispute, requires to be accepted.

14. The contention of the first party that she was full time sweeper was disproved. The contention of the second party that she was a part time sweeper with a very meager wages is proved. The conduct of the first party in not rising her little finger when she was stopped to continue her work for a period of 4 years creates a doubt on her veracity.

15. Having regard to these facts and circumstances the first party having failed to prove the contentions taken by her the reference will not survive for any consideration. In the result this reference is rejected.

(Dictated to the stenographer, transcribed by her, corrected and signed by me on 7th May, 1999.)

JUSTICE R. RAMAKRISHNA, Presiding Officer

नई दिल्ली, 19 मई, 1999

का.आ. 1656.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मालाप्रभा ग्रामीण बैंक, धारावाड़ा के प्रबंधन के संबंध में निदेशों और उनके कर्मचारियों के बीच प्रत्यक्ष में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार (औद्योगिक) अंतर्करण बंगलूर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 18-5-1999 को प्राप्त हुआ था।

[नं. एल-12012/227/92-आई.आर. (बी-1)]

सनान, डेस्क अधिकारी

New Delhi, the 19th May, 1999

S.O. 1656.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bangalore as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Malaprabha Gramena Bank, Dharwad and their workman, which was received by the Central Government on the 18-5-1999.

[No. L-12012/227/92-IR (B. I)]

SANATAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL-CUM-LABOUR
C. R. No. 29/1993

Dated : 11th May, 1999

PRESENT :

Justice R. Ramakrishna, Presiding Officer.
C. R. No. 29/1993

I PARTY :

Smt. V. S. Sathenahalli
H. No. 34, Havalal Bldg.,
Madihal Road,
Dharward

V/s.

II PARTY :

The Chairman,
Malaprabha Gramena Bank
H.O. P.B. No. 111,
Dharward-580008.

AWARD

1. The Central Government by exercising the powers conferred by clause (d) of sub-section (1) and sub-section 2A of the section 10 of the Industrial Disputes Act, 1947 has referred this dispute vide Order No. L-12012/227/92-IR(B. I) dated 8-4-1993 on the following schedule :

SCHEDULE

"Whether the action of the management of Malaprabha Gramena Bank in terminating the services of Smt. V.S. Sathenahalli w.e.f. 19-2-1991 is legal and justified? If not, to what relief the workman is entitled to and from which date?"

2. The first party Smt. V. S. Sathenahalli was appointed as a Junior Assistant on 9-6-1985. Later she was confirmed in the services of the Bank. During the course of her employment in the year 1988 and 1989, she has committed gross misconduct which constituted breach of regulations 17, 19, 26(1) and 30(1) of Malaprabha Gramena Bank (Staff) Service Regulations, 1980. In short, the misconduct alleged against the first party was she acted fraudulent with the bank by fraudulently utilising the customers money, by making false entries, altering the account books of the bank, falsification of banks accounts, making false entries in the pass books of the customers and altering it subsequently and making use of banks customer's money.

3. The charge sheet dated 2-8-1989 was served to the first party which contains charges on seven heads. It was later amended by altering charge No. VII vide letter dated 16-10-89. She was also

kept under suspension pending the enquiry. After a series of reminders the first party gave her reply as per Ex-M-3. She accepted the charges made against her and contended that she has paid back the amounts belonging to the customers and therefore the misconduct requires to be condoned and allow her to resume her work.

4. However the second party has initiated a domestic enquiry by appointing one Shri M.C.S. Ketali as enquiry officer. After fulfilling the formalities of notice was issued to the first party to attend the enquiry which was commenced on 23-10-1990. The first party appeared to the enquiry and she has pleaded guilty of the charges levelled against her in the charge sheet. After confirming, that her plea of guilt was voluntary the same was accepted. In view of this plea the second party have not proposed to examine any witness for the purpose of oral evidence but the documents relied were marked as exhibits.

5. The Enquiry Officer on the basis of the material placed by the second party and also considering the plea of guilt made by the first party has prepared a report on 15-12-1990. The Disciplinary Authority accepted this findings and after giving opportunity to the first party passed an order of removal from services which shall not be a disqualification for future employment. The appellate authority has accepted this findings and dismissed the appeal filed by the first party.

6. Initially the first party appeared, taking the assistance of a legal practitioner and filed her claim statement on 17-5-1993. The order sheet discloses that there was no substantial progress in the case as the second party filed their counter-statement on 12-11-1993 though a copy was served to the Advocate for the first party on 17-4-1996. Since the first party has questioned the validity of domestic enquiry, though there was no scope for taking such defence, we have framed an additional issue to give the findings on the validity of domestic enquiry. The enquiry officer gave the findings of the events that took place during the enquiry and what prompted him to accept the plea of guilt made by the first party. This witness was not cross examined and the first party has not appeared to give her evidence on this issue in spite of the notices being served and received by her. The learned Advocate also not attended the court. Appreciating the evidence of Enquiry Officer and also taking into consideration the plea of guilt made by the first party this tribunal held the validity of domestic enquiry in favour of the second party.

7. After deciding the validity of domestic enquiry we have taken up the case to decide on merits the learned Advocate for the second party appeared and taken through this tribunal to the facts leading to committing of misconduct by the first party. According to the learned Advocate the

offence committed and proved is a grave misconduct which is virtually created a very bad feeling to the customers of the bank therefore the bank has lost faith completely on her. Consequent to this situation the bank has no any other alternative other than discharging her from services.

8. As I said earlier neither the first party nor her Advocate appeared and represented the case.

9. Having regard to the proved facts of misconduct, which is grave in nature and also due to the fact the first party has accepted the misconduct committed by her, the second party was justified in taking proper decision in the matter. In the result I make the following order :

ORDER

The second party are justified in terminating the services of Smt. V. S. Sathenahalli w.e.f. 19-2-1991 and the said order is legally justifiable. Reference is answered accordingly.

(Dictated to the stenographer, transcribed by her, corrected and signed by me on 11-5-1999.)

JUSTICE R. RAMAKRISHNA, Presiding Officer

नई दिल्ली. 19 मई, 1999

का.आ. 1657:— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार वेस्टर्न रेलवे मम्बई के प्रबंधन के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1, मुम्बई के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 19-5-1999 को प्राप्त हुआ था।

[मं. एल-41011/21/97-आई.आर (बी-1)]

सनातन, डेस्क अधिकारी

New Delhi, the 19th May, 1999

S.O. 1657.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Mumbai as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Western Rly., Mumbai and their workman, which was received by the Central Government on 19-5-1999.

[No. L-41011/21/97-IR(B-I)]

SANATAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

PRESENT :

Shri Justice C. V. Govardhan, Presiding Officer.

Reference No. CGIT-21 of 1998

PARTIES :

Employers in relation to the management of Western Railway, Mumbai

AND

Their workmen.

APPEARANCES :

For the Management : No appearance.

For the Workmen : Sbri B. Shukla, General Secretary of the Union.

STATE : Maharashtra

Mumbai, dated this the 6th May, 1999

AWARD

The Central Government by its order dated 6-7-1998 has referred the following dispute between the management of Western Railway, Mumbai and their workmen for adjudication by this Tribunal :

"Whether the action of the employer in not granting officiating allowance to the workman working under the control of Sr. DSTE(C), W. Rly., Bombay Division is legal and justified. If not, to what relief the workman is entitled ?"

The workmen have filed their statement of claim on 9-3-1999. Today, i.e. 6-5-1999 neither management representative appeared nor filed written statement before this Tribunal. Hence it appears that the management is not interested in contesting the reference. In the result, an award is passed in favour of the workmen. Reference is disposed of.

C. V. GOVARDHAN, Presiding Officer

(रोजगार एवं प्रशिक्षण महानिदेशालय)

नई दिल्ली, 10 मई, 1999

का.आ. 1658:—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के निम्ने प्रयोग) नियम 1976 तथा संशोधित, 1987 के नियम 10 के उपनिर्णय, (2) एवं (4) के अनुसरण में एन.ए.आर. एवं प्रशिक्षण महानिदेशालय (श्रम मंत्रालय) के विधानित अधिकार कार्यवाहियों को निम्नके कर्मचारियों से हिन्दी का कार्यवाहक ज्ञान प्राप्त कर लिया है, अधिलिखित कर्मची है:

(क) क्षेत्रीय सद्विना व्यवसायिक प्रशिक्षण संस्थान, जयपुर।

(ख) उच्च प्रशिक्षण संस्थान, अधियाता।

[मं. बीबीईपी-11017/2/97-आई.बी.]

सरिता मिश्र, अधर सचिव

(Directorate General of Employment & Training)

नई दिल्ली, 1 जून, 1999

New Delhi, the 10th May, 1999

S.O. 1658.—In pursuance of sub-rule (2) and (4) of rule 10 of the Official Language (Use for official purpose of the Union) Rules, 1976 as amended 1987, the Central Government hereby notifies the following subordinate offices of Directorate General of Employment & Training (Ministry of Labour), the staff whereof have acquired the working knowledge of Hindi.

1. Regional Vocational Training Institute for Women, Jaipur.

2. Advance Training Institute, Ludhiana.

[No. DGET-11017/2/99 Hindi]
SARITA MITTAL, Under Secy.

नई दिल्ली, 28 मई, 1999

का.आ. 1659:—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा -1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 01 जून, 1999 को उस तारीख के रूप में नियत करती है, जिसकी उक्त अधिनियम के अध्याय - 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय -5 और 6 [धारा -76 की उपधारा-(1) और धारा -77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबंध तमिलनाडु राज्य के निम्न-लिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

“जिला मदुरई के मदुरई उत्तर तालुक में आयाकडई (मदुरई उपनगर) उलंगनेरी, आथंगुडी, तीरुमोहर, नरसिंगम के राजस्व ग्राम के अंतर्गत आने वाले क्षेत्र”

[संख्या एस-38013/9/99-एस. एस. -I]
जे.पी. शुकुआ, अवसर सचिव

New Delhi, the 28th May, 1999

S.O. 1659.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 1st June, 1999 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters V and VI [except sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu namely:—

“Areas comprising the revenue villages of Othoakkadai (Madurai Suburbs), Ulaganeri, Uthangudi, Thirumohur, Narasingam in Madurai North Taluk of Madurai District”.

[No. S-38013/9/99-SS. I]
J. P. SHUKLA, Under Secy.

का.आ. 1660:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण, में, केन्द्रीय सरकार टाटा टी लिमिटेड, कलकत्ता के प्रबंधन और उनके कर्मकार के संबंध में नियोक्ताओं के बीच औद्योगिक विवाद में राजकीय औद्योगिक न्यायाधिकरण कलकत्ता का केन्द्रीय-सरकार को 14 मई, 1999 को प्राप्त पंचाट एतद्वारा प्रकाशित करती है, जैसा कि अनुबंध में दर्शाया गया है।

[सं. एल-51016/1/86 आई. एंड ई (एस एस) वॉल-II]
मृत्युंजय सिंह, उप निदेशक

New Delhi, the 1st June, 1999

S.O. 1660.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the National Industrial Tribunal, Calcutta as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of the Tata Tea Limited, Calcutta and their workman, which was received by the Central Government on the 14th May, 1999.

[No. L-51016/1/86-I&E(SS) Vol. II]
MRITYUNJAYA SINGH, Dy. Director

ANNEXURE

NATIONAL TRIBUNAL AT CALCUTTA

Reference No. NT-1 of 1986

PARTIES :

Employers of M/s. Tata Tea Limited.

AND

Their employees.

PRESENT :

Mr. Justice A. K. Chakravarty,

Presiding Officer.

APPEARANCE :

On behalf of Employers : Mr. R. N. Banarjee,
Advocate.

On behalf of Employees : Mr. C. A. Kurian,
President for Devicolam Estate Workers
Union, Tata Finlay Staff & Non-staff
Union and Tata Finlay Employees
Association.

STATE : National

INDUSTRY : Tea

AWARD

By Order No. L-51016/1/86-I&E(SS) dated 31st October, 1986 the Central Government in exercise of its powers under section 7B of the Industrial Disputes Act, 1947 constituted a National Tribunal with Headquarters at Calcutta

and in exercise of its powers under section 10(1A) of the said Act referred the following dispute to this National Tribunal for adjudication :

"The quantum of bonus to be paid by the management of Tata Tea Limited in respect of,

- (i) their employees in Assam and Calcutta for the year 1980;
- (ii) their employees in Kerala for the year 1982; and
- (iii) their employees in Assam, Kerala, Tamil Nadu and Bombay for the year 1983".

Thereafter by Orders of even number dated 13th February, 1990 and 14th August, 1991 the Central Government also referred two other disputes to this National Tribunal for adjudication in addition to the disputes already referred. These are as follows :

"The quantum of bonus to be paid by the management of the Tata Tea Limited in respect of their employees in Kerala for the year 1987".

"The quantum of bonus to be paid by the management of the Tata Tea Ltd. in respect of their employees in Tamilnadu for the accounting year 1988-89 (period ending 31-3-1989)".

2. When the case is called out today, Mr. R. N. Banerjee, learned Advocate appears for the management and is ready. None appears for any of the unions involved in this reference even though the notices on all the concerned unions have been duly served.

3. It appears from the record that the unions are not appearing before the Tribunal since long even though the case was being adjourned from time to time. It further appears from record that one C. A. Kurian, President of Devicolam Estate Workers Union, Tata Finlay Staff a Non-staff Union and Tata Finlay Employees Association was examined in chief in part on 21-5-1996. Since then he did not produce himself for his further examination and cross-examination inspite of passage of long time and numerous adjournments. The evidence of WW-1, C. A. Kurian is accordingly expunged from record. It also appears from record that one union, namely, Assam Chah Karmachari Sangha filed an application stating that it does not want to pursue the matter any further. Since other unions are not also taking any step in the matter to prove their case, it can be presumed that they are no longer interested in proceeding with the case.

4. In the aforesaid circumstances, in the absence of any material on record in respect of the nature of the actual grievance of the unions in this case

and also for any decision in respect of the schedule under reference, this National Tribunal has no other alternative but to dispose of the matter by passing a "No dispute" Award.

5. A "No Dispute" Award is accordingly passed and the reference is disposed of.

This is my Award.

A. K. CHAKRAVARTY, Presiding Officer

Dated :

Calcutta, the 6th May, 1999.

नई दिल्ली, 3 जून, 1999

का.आ. 1661:—केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 91 क के साथ पठित धारा 88 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम प्रवृत्तन से मैसर्स भारत इलेक्ट्रोनिक्स लिमिटेड, मच्छलीपटनम आन्ध्र प्रदेश, में नियुक्त नियमित कर्मचारियों को तारीख 1 अप्रैल, 1999 से 30 दिसम्बर, 1999 सहित उस अवधि तक के लिए छूट प्रदान करती है।

पूर्वोक्त छूट की शर्तें निम्नलिखित हैं, अर्थात्:—

(1) पूर्वोक्त कारखाना, जिसमें कर्मचारी नियोजित है, एक रजिस्टर रखेगा, जिसमें छूट प्राप्त कर्मचारियों के नाम और पदाभियान दिखाये जायेंगे,

(2) इस छूट के होते हुए, भी कर्मचारी उक्त अधिनियम के अधीन ऐसी प्रसुविधाएं प्राप्त करते रहेंगे, जिनकी पाने के लिए वे इस अधिसूचना द्वारा दी गई छूट के प्रवृत्त होने की तारीख से पूर्व संद्वन अधिदायों के प्राधार पर हकदार हो जाते,

(3) छूट प्राप्त अवधि के लिए यदि कोई अधिदाय पहले ही किए जा चुके हों तो वे वापस नहीं किये जायेंगे,

(4) उक्त कारखाने का नियोजक उस अवधि की बाबत जिनके दौरान उस कारखाने पर उक्त अधिनियम प्रवृत्तमान या (जिसे हममें इसके पश्चात "उक्त अवधि" कहा गया है) ऐसी विवरणियां ऐसे प्राप्ति में और ऐसी विशिष्टियों सहित देगा जो कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 के अधीन उसे उक्त अवधि की बाबत देती थी,

(5) निगम द्वारा उक्त अधिनियम की धारा 45 की उप-धारा (1) के अधीन नियुक्त किया गया कोई निरीक्षक, या निगम का इस निमित्त प्राधिकृत कोई अन्य पदधारी:—

(1) धारा 44 की उपधारा (1) के अधीन, उक्त अवधि की बाबत दी गई किसी विवरणी की विशिष्टियों को सत्यापित करने के प्रयोजनार्थ,

(2) यह अभिनिर्णय करने के प्रयोजनार्थ कि कर्मचारी राज्य बीमा (साधारण) विनियम, 1950 द्वारा यथा अपेक्षित रजिस्टर और अभिलेख उक्त अवधि के लिए रखे गये थे या नहीं, या

(3) यह अभिनिश्चित करने के प्रयोजनार्थ कि कर्मचारी, नियोजक द्वारा दिए गए उन फायदों को, जिसके प्रति फलस्वरूप इस अधिसूचना के अधीन छूट दी जा रही है, नगद और वस्तु रूप में पाने का हकदार बना हुआ है या नहीं, या

(4) यह अभिनिश्चित करने के प्रयोजनार्थ कि उस अधिधि के दौरान, जब उक्त कारखाने के संबंध में अधिनियम के उपबंध प्रवृत्त थे ऐसे किसी उपबंधों का अनुपालन किया गया था या नहीं,

निम्नलिखित कार्य करने के लिए सशक्त होगा :—

(क) प्रधान या अध्यक्षित नियोजक से अपेक्षा करने कि वह ऐसी जानकारी दे जिसे उपरोक्त निरीक्षक या अन्य पदधारी आवश्यक समझता है,

(ख) ऐसे प्रधान या अध्यक्षित नियोजक के अधिभोगाधीन किसी कारखाने स्थापन, कार्यालय या अन्य परिसर में किसी भी उचित समय पर प्रवेश करना और उसके प्रभारी से यह अपेक्षा करना कि वह व्यक्तियों के नियोजन और मजदूरी के संदाय में संबंधित ऐसे लेखा, बहियों और अन्य वस्तावेज ऐसे निरीक्षक या अन्य पदधारी के समक्ष प्रस्तुत करे और उनकी परीक्षा करने दे, या उन्हें ऐसी जानकारी दे, जिसे वे आवश्यक समझते हैं, या

(ग) प्रधान या अध्यक्षित नियोजक की, उसके अधिकर्ता या सेवक की, या किसी ऐसे व्यक्ति की जो ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में पाया जाए, ऐसे किसी व्यक्ति की जिसके बारे में उक्त निरीक्षक या अन्य पदधारी के पास यह विश्वास करने का युक्तियुक्त कारण है कि वह कर्मचारी, है, परीक्षा करना, या

(घ) ऐसे कारखाने, स्थापन, कार्यालय या अन्य परिसर में रखे गये किसी रजिस्टर लेखा वही या अन्य दस्तावेज की नकल तैयार करना या उससे उद्धरण लेना ।

[सं. 38014/99/97- एम. एम. I]

जे. पी. शुक्ला, अवग सचिव.

स्पष्टीकरण ज्ञापन

इस मामले में छूट को भूतलक्षी प्रभाव देना आवश्यक हो गया है क्योंकि छूट के आवेदन पर कार्रवाही करने में समय लगा था, किन्तु यह प्रमाणित किया जाता है कि छूट को भूतलक्षी प्रभाव देने से किसी भी व्यक्ति के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा ।

New Delhi, the 3rd June, 1999

S.O. 1661.—In exercise of the powers conferred by section 88 read with section 91-A of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby exempts the

regular employees of M/s. Bharat Electronics Ltd., Machilipatnam, Andhra Pradesh from the operation of the said Act for a period with effect from the 1st April, 1999 up to and inclusive of 30th September, 1999.

2 The above exemption subject to the following conditions namely :—

(1) The aforesaid establishment wherein the employees are employed shall maintain a register showing the name and designations of the exempted employees;

(2) Notwithstanding this exemption, the employees shall continue to receive such benefits under the said Act which they might have become entitled to on the basis of the contributions paid prior to the date from which exemption granted by this notification operates;

(3) The contributions for the exempted period, if already paid, shall not be refunded;

(4) The employer of the said factory/establishment shall submit in respect of the period during which that factory was subject to the operation of the said Act (hereinafter referred to as the said period), such returns in such form and containing such particulars as were due from it in respect of the said period under the Employees' State Insurance (General) Regulations, 1950;

(5) Any inspector appointed by the Corporation under Sub-section (1) of Section 45 of the said Act, or other official of the Corporation authorised in this behalf shall, for the purpose of :—

(i) verifying the particulars contained in any return submitted under sub-section (1) of section 44 for the said period; or

(ii) ascertaining whether registers and records were maintained as required by the Employees' State Insurance (General) Regulations, 1950 for the said period; or

(iii) ascertaining whether the employees continue to be entitled to benefits provided by the employer in cash and kind being benefits in consideration of which exemption is being granted under this notification; or

(iv) ascertaining whether any of the provisions of the Act had been complied with during the period when such provisions were in force in relation to the said factory to empowered to :

- (a) require the principal or immediate employer to furnish to him such information as he may consider necessary; or
- (b) enter any factory, establishment, office or other premises occupied by such principal or immediate employer at any reasonable time and require any person found incharge thereof to produce to such inspector or other official and allow him to examine accounts, books and other documents relating to the employment of personal and payment of wages or to furnish to him such information as he may consider necessary; or
- (c) examine the principal or immediate employer, his agent or servant, or any person found in such factory, establishment, office or other premises or any person whom the said inspector or other official has reasonable cause to believe to have been an employee; or
- (d) make copies of or take extracts from any register, account book or other document maintained in such factory, establishment, office or other document maintained in such factory, establishment, office or other premises.

[File No. S-38014/99/97-SS. 1]

J. P. SHUKLA, Under Secy.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case as processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.

नई दिल्ली 2 जून, 1999

का.आ.1662.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 2670 दिनांक 3 दिसम्बर, 98 द्वारा भारत सरकार टकसाल, नोएडा को उक्त अधिनियम के प्रयोजनों के लिए 3 दिसम्बर, 1998 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को अधिनियम के प्रयोजनों के लिए 3 जून, 1999 से छः मास की कालावधि के लिए उपयोगी सेवा घोषित करती है।

[का. सं. एम-11017/1/94-आर्.आर. (पी.एल.)]

एच. सी. गुप्ता, अवर सचिव

New Delhi, the 2nd June, 1999

S.O. 1662.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Dispute Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 2670 dated 3rd December, 1998 the services in India Government Mint, Noida to be a public utility service for the purpose of the said Act, for a period of six months from the 3rd December, 1998.

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 3rd June, 1999.

[No. S-11017/1/94-IR(PL)]

H. C. GUPTA, Under Secy.

नई दिल्ली, 2 जून, 1999

का.आ.1663.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 2747 दिनांक 10 दिसम्बर, 98 द्वारा भारत सरकार टकसाल, हैदराबाद को उक्त अधिनियम के प्रयोजनों के लिए 10 दिसम्बर, 1998 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि की छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 10 जून, 1999 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एस.-11017/1/96-आई.आर. (पी. एल.)]
एच. सी. गुप्ता, अवर सचिव

New Delhi, the 2nd June, 1999

S.O. 1663.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 2747 dated the 10th December, 1998 the services in India Government Mint, Hyderabad to be a public utility service for the purpose of the said Act, for a period of six months from the 10th December, 1998;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from 10th June, 1999.

[No. S-11017/1/96-IR(PL)]
H. C. GUPTA, Under Secy.

नई दिल्ली, 2 जून, 1999

का.आ. 1664.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 2673 दिनांक 8 दिसम्बर, 1998 द्वारा भारत सरकार टकसाल, कलकत्ता को उक्त अधिनियम के प्रयोजनों के लिए 8 दिसम्बर 1998 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय

सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 8 जून, 1999 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एस.-11017/1/97-आई.आर. (पी. एल.)]
एच.सी. गुप्ता, अवर सचिव

New Delhi, the 2nd June, 1999

S.O. 1664.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 2673 dated the 8th December, 1998 the services in India Government Mint, Calcutta to be a public utility service for the purpose of the said Act, for a period of six months from the 8th December, 1998;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from 8th June, 1999.

[No. S-11017/1/97-IR(PL)]
H. C. GUPTA, Under Secy.

नई दिल्ली, 2 जून, 1999

का.आ. 1665.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 2750 दिनांक 14 दिसम्बर, 1998 द्वारा सीमेन्ट उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 18 दिसम्बर, 1998 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है;

अतः अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (इ) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय

सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 18 जून, 1999 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एम.-11017/12/97-आर्ह.आर. (पी. एल.)]

एच. सी. गुप्ता, अवर सचिव

New Delhi, the 2nd June, 1999

S.O. 1665.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 2750 dated 14th December, 1998 the services in the Cement Industry to be a public utility service for the purpose of the said Act, for a period of six months from the 18th December, 1998;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from the 18th June, 1999.

[No. S-11017/12/97-IR(PL)]

H. C. GUPTA, Under Secy.

नई दिल्ली, 2 जून, 1999

का.आ. 1666.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (क) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 2674 दिनांक 8 दिसम्बर, 98 द्वारा भारत सरकार टकसाल मुम्बई को उक्त अधिनियम के प्रयोजनों के लिए 8 दिसम्बर, 1998 से छह मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था ;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है !

अतः अथ, औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 2 के खंड (क) के उपखंड (vi) के

परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार उक्त उद्योग अधिनियम के प्रयोजनों के लिए 8 जून, 1999 से छः मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[फा. सं. एम.-11017/14/97-आर्ह.आर. (पी. एल.)]

एच. सी. गुप्ता, अवर सचिव

New Delhi, the 2nd June, 1999

S.O. 1666.—Whereas the Central Government having been satisfied that the public interest so requires had, in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of India in the Ministry of Labour S.O. No. 2674 dated the 8th December, 1998 the services in India Government Mint, Mumbai to be a public utility service for the purpose of the said Act, for a period of six months from the 8th December, 1998;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from 8th June, 1999.

[No. S-11017/14/97-IR(PL)]

H. C. GUPTA, Under Secy.

नई दिल्ली, 2 जून, 1999

का.आ. 1667.—केन्द्रीय सरकार संतुष्ट हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (क) के उपखंड (vi) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का. आ. 2672 दिनांक 8 दिसम्बर, 98 द्वारा भारत सरकार टकसाल चरेलापल्ली को उक्त अधिनियम के प्रयोजनों के लिए 8 दिसम्बर 1998 से छः मास की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था।

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छः मास की और कालावधि के लिए बढ़ाया जाना अपेक्षित है ;

पदा: अथ, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (ड) के उपखंड (vi) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 8 जून, 1999 से छ. मास की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[पा. सं. एम.-11017/3/98-आईआर. (पी. एल.)]

एच. सी. गुप्ता, अवर सचिव

New Delhi, the 2nd June, 1999

S.O. 1667.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of the clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the Notification of the Government of

India in the Ministry of Labour S.O. No. 2672 dated the 8th December, 1998 the services in India Government Mint, Cherlapally to be a public utility service for the purpose of the said Act, for a period of six months from the 8th December, 1998;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947, the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act for a period of six months from 8th June, 1999.

[No. S-11017/3/98-IR(PL)]

H. C. GUPTA, Under Secy.

